

107TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. HATCH (for himself, Mr. LEAHY, Mr. BIDEN, Mr. DEWINE, Mr. THURMOND, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Drug Abuse Education, Prevention, and Treatment Act
6 of 2001”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DRUG OFFENSES INVOLVING JUVENILES

2

- Sec. 101. Increased penalties for using minors to traffic drugs across the border.
- Sec. 102. Drug offenses committed in the presence of children.
- Sec. 103. Increased penalties for using minors to distribute drugs.
- Sec. 104. Increased penalties for distributing drugs to minors.
- Sec. 105. Increased penalty for drug trafficking in or near a school or other protected location.
- Sec. 106. Increased penalties for using Federal property to grow or manufacture controlled substances.
- Sec. 107. Consistency in application of increased penalties.
- Sec. 108. Clarification of length of supervised release terms in controlled substance cases.
- Sec. 109. Supervised release period after conviction for continuing criminal enterprise.

TITLE II—DRUG-FREE PRISONS AND JAILS

- Sec. 201. Drug-free prisons and jails incentive grants.
- Sec. 202. Jail-based substance abuse treatment programs.
- Sec. 203. Mandatory revocation of probation and supervised release for failing a drug test.
- Sec. 204. Increased penalties for providing an inmate with a controlled substance.

TITLE III—TREATMENT AND PREVENTION

- Sec. 301. Drug treatment alternative to prison programs administered by State or local prosecutors.
- Sec. 302. Juvenile substance abuse courts.
- Sec. 303. Expansion of substance abuse education and prevention efforts.
- Sec. 304. Funding for rural State and economically depressed communities.
- Sec. 305. Funding for residential treatment centers for women and children.
- Sec. 306. Drug treatment for juveniles.
- Sec. 307. Coordinated juvenile services grants.
- Sec. 308. Expansion of research.
- Sec. 309. Comprehensive study by National Academy of Sciences.
- Sec. 310. Report on drug-testing technologies.
- Sec. 311. Use of National Institutes of Health substance abuse research.

TITLE IV—SCHOOL SAFETY AND CHARACTER EDUCATION

Subtitle A—School Safety

- Sec. 401. Alternative education.
- Sec. 402. Transfer of school disciplinary records.
- Sec. 403. Drug tests and locker inspections.

Subtitle B—Character Education

CHAPTER 1—NATIONAL CHARACTER ACHIEVEMENT AWARD

- Sec. 411. National Character Achievement Award.

CHAPTER 2—PREVENTING JUVENILE DELINQUENCY THROUGH CHARACTER EDUCATION

- Sec. 421. Purpose.
- Sec. 422. Authorization of appropriations.

3

Sec. 423. After school programs.

Sec. 424. General provisions.

CHAPTER 3—COUNSELING, TRAINING, AND MENTORING CHILDREN OF
PRISONERS

Sec. 431. Purpose.

Sec. 432. Authorization of appropriations.

Sec. 433. Counseling, training, and mentoring programs.

Sec. 434. General provisions.

TITLE V—REESTABLISHMENT OF DRUG COURTS

Sec. 501. Reestablishment of drug courts.

Sec. 502. Authorization of appropriations.

TITLE VI—PROGRAM FOR SUCCESSFUL REENTRY OF CRIMINAL
OFFENDERS INTO LOCAL COMMUNITIES

Sec. 601. Short title.

Sec. 602. Purposes.

Subtitle A—Federal Reentry Demonstration Projects

Sec. 611. Federal reentry center demonstration.

Sec. 612. Federal high-risk offender reentry demonstration.

Sec. 613. District of Columbia Intensive Supervision, Tracking, and Reentry
Training (DC iSTART) Demonstration.

Sec. 614. Federal Intensive Supervision, Tracking, and Reentry Training (FED
iSTART) Demonstration.

Sec. 615. Federal Enhanced In-Prison Vocational Assessment and Training
and Demonstration.

Sec. 616. Research and reports to Congress.

Sec. 617. Definitions.

Sec. 618. Authorization of appropriations.

Subtitle B—State Reentry Grant Programs

Sec. 621. Amendments to the Omnibus Crime Control and Safe Streets Act of
1968.

TITLE VII—ASSISTANCE BY RELIGIOUS ORGANIZATIONS UNDER
GOVERNMENT PROGRAMS FUNDED UNDER THIS ACT

Sec. 701. Assistance by religious organizations under government programs
funded under this Act.

1 **TITLE I—DRUG OFFENSES**
2 **INVOLVING JUVENILES**
3 **SEC. 101. INCREASED PENALTIES FOR USING MINORS TO**
4 **TRAFFIC DRUGS ACROSS THE BORDER.**
5 (a) FEDERAL SENTENCING GUIDELINES.—

1 (1) IN GENERAL.—Pursuant to its authority
2 under section 994(p) of title 28, United States Code,
3 the United States Sentencing Commission shall re-
4 view and amend, if appropriate, the Federal sen-
5 tencing guidelines and its policy statements in ac-
6 cordance with paragraph (2) with respect to any of-
7 fense relating to the use of a minor in the traf-
8 ficking of a controlled substance into or outside of
9 the United States in violation of—

10 (A) the Controlled Substances Act (21
11 U.S.C. 801 et seq.);

12 (B) the Controlled Substances Import and
13 Export Act (21 U.S.C. 951 et seq.); or

14 (C) the Maritime Drug Law Enforcement
15 Act (46 U.S.C. App. 1901 et seq.).

16 (2) REQUIREMENTS.—In carrying out this
17 paragraph, the United States Sentencing Commis-
18 sion shall consider whether the base offense level for
19 any offense described in paragraph (1) should be in-
20 creased to not less than level 20.

21 (3) EMERGENCY AUTHORITY TO SENTENCING
22 COMMISSION.—The United States Sentencing Com-
23 mission shall promulgate amendments pursuant to
24 this subsection as soon as practicable after the date
25 of enactment of this Act in accordance with the pro-

1 cedure set forth in section 21(a) of the Sentencing
2 Act of 1987 (Public Law 100–182), as though the
3 authority under that Act had not expired.

4 (b) EFFECTIVE DATE.—The amendments made pur-
5 suant to this section shall apply with respect to any of-
6 fense occurring on or after the date that is 60 days after
7 the date of enactment of this Act.

8 **SEC. 102. DRUG OFFENSES COMMITTED IN THE PRESENCE**
9 **OF CHILDREN.**

10 (a) IN GENERAL.—For the purposes of this section,
11 an offense is committed in the presence of a child if—

12 (1) it takes place in the line of sight of an indi-
13 vidual who has not attained the age of 16 years; or

14 (2) an individual who has not attained the age
15 of 16 years habitually resides in the place where the
16 violation occurs and is present at the place at the
17 time the offense is committed.

18 (b) GUIDELINES.—Not later than 120 days after the
19 date of enactment of this Act, the United States Sen-
20 tencing Commission shall review and amend, if appro-
21 priate, the Federal sentencing guidelines and its policy
22 statements to provide, with respect to an offense under
23 part D of the Controlled Substances Act that is committed
24 in the presence of a child—

1 (1) a sentencing enhancement of not less than
2 2 offense levels above the base offense level for the
3 underlying offense or 1 additional year, whichever is
4 greater; and

5 (2) in the case of a second or subsequent such
6 offense, a sentencing enhancement of not less than
7 4 offense levels above the base offense level for the
8 underlying offense, or 2 additional years, whichever
9 is greater.

10 **SEC. 103. INCREASED PENALTIES FOR USING MINORS TO**
11 **DISTRIBUTE DRUGS.**

12 Pursuant to its authority under section 994(p) of title
13 28, United States Code, the United States Sentencing
14 Commission shall review and amend, if appropriate, the
15 Federal sentencing guidelines and its policy statements to
16 provide an appropriate sentencing enhancement for any
17 offense under section 420(b) and (c) of the Controlled
18 Substances Act (21 U.S.C. 861(b) and (c)).

19 **SEC. 104. INCREASED PENALTIES FOR DISTRIBUTING**
20 **DRUGS TO MINORS.**

21 (a) SENTENCING ENHANCEMENT.—Pursuant to its
22 authority under section 994(p) of title 28, United States
23 Code, the United States Sentencing Commission shall re-
24 view and amend, if appropriate, the Federal sentencing
25 guidelines and its policy statements to provide an appro-

1 puate sentencing enhancement for any offense under sec-
2 tion 418 (a) and (b) of the Controlled Substances Act (21
3 U.S.C. 859(a) and (b)).

4 (b) CONSIDERATIONS.—In carrying out this section,
5 the Sentencing Commission shall consider the relationship
6 between the distribution of drugs to minors and the use
7 of minors for other criminal activity, including but not lim-
8 ited to the movement of minors across State lines to en-
9 gage in prostitution. In addition to its consideration of
10 raising the base offense level for distributing drugs to mi-
11 nors, the Sentencing Commission shall also review and,
12 if appropriate, amend its guidelines and policy statements
13 with a specific sentencing enhancement for distributing
14 drugs to minors in order to lure a minor into or keep a
15 minor engaged in criminal activity, including but not lim-
16 ited to the movement of minors across State lines to en-
17 gage in prostitution.

18 **SEC. 105. INCREASED PENALTY FOR DRUG TRAFFICKING IN**
19 **OR NEAR A SCHOOL OR OTHER PROTECTED**
20 **LOCATION.**

21 Pursuant to its authority under section 994(p) of title
22 28, United States Code, the United States Sentencing
23 Commission shall review and amend, if appropriate, the
24 Federal sentencing guidelines and its policy statements to
25 provide an appropriate sentencing enhancement for any

1 offense under section 419 (a) and (b) of the Controlled
2 Substances Act (21 U.S.C. 860(a) and (b)).

3 **SEC. 106. INCREASED PENALTIES FOR USING FEDERAL**
4 **PROPERTY TO GROW OR MANUFACTURE**
5 **CONTROLLED SUBSTANCES.**

6 Section 401(b)(5) of the Controlled Substances Act
7 (21 U.S.C. 841(b)(5)) is amended to read as follows:

8 “(5) Any person who violates subsection (a) of
9 this section by cultivating or manufacturing a con-
10 trolled substance on any property in whole or in part
11 owned by or leased to the United States or any de-
12 partment or agency thereof shall be subject to twice
13 the maximum punishment otherwise authorized for
14 the offense.”.

15 **SEC. 107. CONSISTENCY IN APPLICATION OF INCREASED**
16 **PENALTIES.**

17 (a) IN GENERAL.—In carrying out sections 101
18 through 106, the United States Sentencing Commission
19 shall—

20 (1) ensure that there is reasonable consistency
21 with other relevant directives and Federal sentencing
22 guidelines;

23 (2) avoid duplicative punishment for substan-
24 tially the same offense;

1 (3) ensure that the sentencing guidelines and
2 policy statements reflect the serious effects of illegal
3 drug manufacturing, possession, and trafficking on
4 minors and the need for aggressive and appropriate
5 law enforcement action to prevent such illegal drug
6 crimes;

7 (4) consult with law enforcement officials, in-
8 cluding those specializing in illegal drug enforce-
9 ment, and the Federal judiciary as part of the re-
10 view, in paragraph (1);

11 (5) assure that the guidelines adequately meet
12 the purposes of sentencing as set forth in section
13 3553(c)(2) of title 18, United States Code; and

14 (6) account for any aggravating or mitigating
15 circumstances that might justify exceptions, includ-
16 ing circumstances for which the sentencing guide-
17 lines currently provide sentencing enhancements.

18 (b) REPORT.—Not later than June 1, 2001, the
19 United States Sentencing Commission shall submit a re-
20 port to Congress detailing the results of its review and
21 explaining the changes to sentencing policy made in re-
22 sponse to sections 101 through 106 and this section. The
23 report shall also include any recommendations that the
24 Commission may have for retention or modification of cur-

1 rent penalty levels, including statutory penalty levels, and
2 for otherwise combating controlled substances offenses.

3 **SEC. 108. CLARIFICATION OF LENGTH OF SUPERVISED RE-**
4 **LEASE TERMS IN CONTROLLED SUBSTANCE**
5 **CASES.**

6 Subparagraphs (A) through (D) of section 401(b)(1)
7 of the Controlled Substances Act (21 U.S.C. 841(b)(1))
8 are each amended by striking “Any sentence” and insert-
9 ing “Notwithstanding section 3583 of title 18, any sen-
10 tence”.

11 **SEC. 109. SUPERVISED RELEASE PERIOD AFTER CONVIC-**
12 **TION FOR CONTINUING CRIMINAL ENTER-**
13 **PRISE.**

14 Section 848(a) of title 21, United States Code, is
15 amended by adding to the end of the following: “Any sen-
16 tence under this paragraph shall, in the absence of such
17 a prior conviction, impose a term of supervised release of
18 not less than 10 years in addition to such term of impris-
19 onment and shall, if there was such a prior conviction,
20 impose a term of supervised release of not less than 15
21 years in addition to such term of imprisonment.”.

1 **TITLE II—DRUG-FREE PRISONS**
2 **AND JAILS**

3 **SEC. 201. DRUG-FREE PRISONS AND JAILS INCENTIVE**
4 **GRANTS.**

5 (a) IN GENERAL.—Subtitle A of title II of the Violent
6 Crime Control and Law Enforcement Act of 1994 (42
7 U.S.C. 13701 et seq.), as amended by section 6101(e) of
8 this title, is amended—

9 (1) by redesignating section 20110 as section
10 20111; and

11 (2) by inserting after section 20109 the fol-
12 lowing:

13 **“SEC. 20110. DRUG-FREE PRISONS AND JAILS BONUS**
14 **GRANTS.**

15 “(a) IN GENERAL.—The Attorney General shall
16 make incentive grants in accordance with this section to
17 eligible States, units of local government, and Indian
18 tribes, in order to encourage the establishment and main-
19 tenance of drug-free prisons and jails.

20 “(b) RESERVATION OF FUNDS.—Notwithstanding
21 any other provision of this subtitle, in each fiscal year,
22 before making the allocations under sections 20106 and
23 20108(a)(2) or the reservation under section 20109, the
24 Attorney General shall reserve 10 percent of the amount

1 made available to carry out this subtitle for grants under
2 this section.

3 “(c) ELIGIBILITY.—

4 “(1) IN GENERAL.—To be eligible to receive a
5 grant under this section, a State, unit of local gov-
6 ernment, or Indian tribe shall demonstrate to the
7 Attorney General that the State, unit of local gov-
8 ernment, or Indian tribe—

9 “(A) meets the requirements of section
10 20103; and

11 “(B) has established, or, within 18 months
12 after the initial submission of an application
13 this section will implement, a program or policy
14 of drug-free prisons and jails for correctional
15 and detention facilities, including juvenile facili-
16 ties, in its jurisdiction.

17 “(2) CONTENTS OF PROGRAM OR POLICY.—The
18 drug-free prisons and jails program or policy under
19 paragraph (1)(B)—

20 “(A) shall include—

21 “(i) a zero-tolerance policy for drug
22 use or presence in State, unit of local gov-
23 ernment, or Indian tribe facilities, includ-
24 ing random and routine sweeps and inspec-
25 tions for drugs, random and routine drug

1 tests of all inmates, and improved screen-
2 ing for drugs and other contraband of pris-
3 on visitors and prisoner mail;

4 “(ii) establishment and enforcement
5 of penalties, including prison disciplinary
6 actions and criminal prosecution for the in-
7 troduction, possession, or use of drugs in
8 any prison or jail;

9 “(iii) the implementation of residen-
10 tial drug treatment programs that are ef-
11 fective and science-based; and

12 “(iv) drug testing of all inmates upon
13 intake and upon release from incarceration
14 as appropriate; and

15 “(B) may include a system of incentives
16 for prisoners to participate in counter-drug pro-
17 grams such as drug treatment and drug-free
18 wings with greater privileges, except that incen-
19 tives under this paragraph may not include the
20 early release of any prisoner convicted of a
21 crime of violence.

22 “(d) APPLICATION.—In order to be eligible to receive
23 a grant under this section, a State, unit of local govern-
24 ment, or Indian tribe shall submit to the Attorney General
25 an application, in such form and containing such informa-

1 tion, including rates of positive drug tests among inmates
2 upon intake and release from incarceration, as the Attor-
3 ney General may reasonably require.

4 “(e) USE OF FUNDS.—Amounts received by a State,
5 unit of local government, or Indian tribe from a grant
6 under this section may be used—

7 “(1) to implement the program under sub-
8 section (c)(2); or

9 “(2) for any other purpose permitted by this
10 subtitle.

11 “(f) ALLOCATION OF FUNDS.—Grants awarded
12 under this section shall be in addition to any other grants
13 a State, unit of local government, or Indian tribe may be
14 eligible to receive under this subtitle or under part S of
15 title I of the Omnibus Crime Control and Safe Streets Act
16 of 1968 (42 U.S.C. 3796ff et seq.).

17 “(g) MINIMUM ALLOCATION.—Unless all eligible ap-
18 plications submitted by any State or unit of local govern-
19 ment within such State for a grant under this section have
20 been funded, such State, together with grantees within the
21 State (other than Indian tribes), shall be allocated in each
22 fiscal year under this section not less than 0.75 percent
23 of the total amount appropriated in the fiscal year for
24 grants pursuant to this section.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—In ad-
2 dition to amounts allocated under this section, there are
3 authorized to be appropriated to carry out this section
4 \$50,000,000 for each of the fiscal years 2002, 2003, and
5 2004.”.

6 **SEC. 202. JAIL-BASED SUBSTANCE ABUSE TREATMENT PRO-**
7 **GRAMS.**

8 (a) USE OF RESIDENTIAL SUBSTANCE ABUSE
9 TREATMENT GRANTS TO PROVIDE AFTERCARE SERV-
10 ICES.—Section 1902 of part S of title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
12 3796ff–1) is amended by adding at the end the following:

13 “(f) USE OF GRANT AMOUNTS FOR NONRESIDEN-
14 TIAL AFTERCARE SERVICES.—A State may use amounts
15 received under this part to provide nonresidential sub-
16 stance abuse treatment aftercare services for inmates or
17 former inmates that meet the requirements of subsection
18 (c), if the chief executive officer of the State certifies to
19 the Attorney General that the State is providing, and will
20 continue to provide, an adequate level of residential treat-
21 ment services.”.

22 (b) JAIL-BASED SUBSTANCE ABUSE TREATMENT.—
23 Part S of title I of the Omnibus Crime Control and Safe
24 Streets Act of 1968 (42 U.S.C. 3796ff et seq.) is amended
25 by adding at the end the following:

1 **“SEC. 1906. JAIL-BASED SUBSTANCE ABUSE TREATMENT.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) The term ‘jail-based substance abuse
4 treatment program’ means a course of individual
5 and group activities, lasting for a period of not less
6 than 3 months, in an area of a correctional facility
7 set apart from the general population of the correc-
8 tional facility, if those activities are—

9 “(A) directed at the substance abuse prob-
10 lems of prisoners; and

11 “(B) intended to develop the cognitive, be-
12 havioral, social, vocational, and other skills of
13 prisoners in order to address the substance
14 abuse and related problems of prisoners.

15 “(2) The term ‘local correctional facility’ means
16 any correctional facility operated by a State or unit
17 of local government.

18 “(b) AUTHORIZATION.—

19 “(1) IN GENERAL.—At least 10 percent of the
20 total amount made available to a State under section
21 1904(a) for any fiscal year shall be used by the
22 State to make grants to local correctional facilities
23 in the State, provided the State includes local cor-
24 rectional facilities, for the purpose of assisting jail-
25 based substance abuse treatment programs that are

1 effective and science-based established by those local
2 correctional facilities.

3 “(2) FEDERAL SHARE.—The Federal share of a
4 grant made by a State under this section to a local
5 correctional facility may not exceed 75 percent of
6 the total cost of the jail-based substance abuse treat-
7 ment program described in the application submitted
8 under subsection (c) for the fiscal year for which the
9 program receives assistance under this section.

10 “(c) APPLICATIONS.—

11 “(1) IN GENERAL.—To be eligible to receive a
12 grant from a State under this section for a jail-
13 based substance abuse treatment program, the chief
14 executive of a local correctional facility shall submit
15 to the State, in such form and containing such infor-
16 mation as the State may reasonably require, an ap-
17 plication that meets the requirements of paragraph
18 (2).

19 “(2) APPLICATION REQUIREMENTS.—Each ap-
20 plication submitted under paragraph (1) shall
21 include—

22 “(A) with respect to the jail-based sub-
23 stance abuse treatment program for which as-
24 sistance is sought, a description of the program

1 and a written certification that the local correc-
2 tional facility will—

3 “(i) coordinate the design and imple-
4 mentation of the program between local
5 correctional facility representatives and the
6 appropriate State and local alcohol and
7 substance abuse agencies;

8 “(ii) implement (or continue to re-
9 quire) urinalysis or other proven reliable
10 forms of substance abuse testing of indi-
11 viduals participating in the program, in-
12 cluding the testing of individuals released
13 from the jail-based substance abuse treat-
14 ment program who remain in the custody
15 of the local correctional facility; and

16 “(iii) carry out the program in accord-
17 ance with guidelines, which shall be estab-
18 lished by the State, in order to guarantee
19 each participant in the program access to
20 consistent, continual care if transferred to
21 a different local correctional facility within
22 the State;

23 “(B) written assurances that Federal
24 funds received by the local correctional facility
25 from the State under this section will be used

1 to supplement, and not to supplant, non-Fed-
2 eral funds that would otherwise be available for
3 jail-based substance abuse treatment programs
4 assisted with amounts made available to the
5 local correctional facility under this section; and

6 “(C) a description of the manner in which
7 amounts received by the local correctional facil-
8 ity from the State under this section will be co-
9 ordinated with Federal assistance for substance
10 abuse treatment and aftercare services provided
11 to the local correctional facility by the Sub-
12 stance Abuse and Mental Health Services Ad-
13 ministration of the Department of Health and
14 Human Services.

15 “(d) REVIEW OF APPLICATIONS.—

16 “(1) IN GENERAL.—Upon receipt of an applica-
17 tion under subsection (c), the State shall—

18 “(A) review the application to ensure that
19 the application, and the jail-based residential
20 substance abuse treatment program for which a
21 grant under this section is sought, meet the re-
22 quirements of this section; and

23 “(B) if so, make an affirmative finding in
24 writing that the jail-based substance abuse

1 treatment program for which assistance is
2 sought meets the requirements of this section.

3 “(2) APPROVAL.—Based on the review con-
4 ducted under paragraph (1), not later than 90 days
5 after the date on which an application is submitted
6 under subsection (c), the State shall—

7 “(A) approve the application, disapprove
8 the application, or request a continued evalua-
9 tion of the application for an additional period
10 of 90 days; and

11 “(B) notify the applicant of the action
12 taken under subparagraph (A) and, with re-
13 spect to any denial of an application under sub-
14 paragraph (A), afford the applicant an oppor-
15 tunity for reconsideration.

16 “(3) ELIGIBILITY FOR PREFERENCE WITH
17 AFTERCARE COMPONENT.—

18 “(A) IN GENERAL.—In making grants
19 under this section, a State shall give preference
20 to applications from local correctional facilities
21 that ensure that each participant in the jail-
22 based substance abuse treatment program for
23 which a grant under this section is sought, is
24 required to participate in an aftercare services
25 program that meets the requirements of sub-

1 paragraph (B), for a period of not less than 1
2 year following the earlier of—

3 “(i) the date on which the participant
4 completes the jail-based substance abuse
5 treatment program; or

6 “(ii) the date on which the participant
7 is released from the correctional facility at
8 the end of the participant’s sentence or is
9 released on parole.

10 “(B) AFTERCARE SERVICES PROGRAM RE-
11 QUIREMENTS.—For purposes of subparagraph
12 (A), an aftercare services program meets the re-
13 quirements of this paragraph if the program—

14 “(i) in selecting individuals for par-
15 ticipation in the program, gives priority to
16 individuals who have completed a jail-based
17 substance abuse treatment program;

18 “(ii) requires each participant in the
19 program to submit to periodic substance
20 abuse testing; and

21 “(iii) involves the coordination be-
22 tween the jail-based substance abuse treat-
23 ment program and other human service
24 and rehabilitation programs that may as-

1 sist in the rehabilitation of program par-
2 ticipants, such as—

3 “(I) educational and job training
4 programs;

5 “(II) parole supervision pro-
6 grams;

7 “(III) half-way house programs;
8 and

9 “(IV) participation in self-help
10 and peer group programs; and

11 “(iv) assists in placing jail-based sub-
12 stance abuse treatment program partici-
13 pants with appropriate community sub-
14 stance abuse treatment facilities upon re-
15 lease from the correctional facility at the
16 end of a sentence or on parole.

17 “(e) COORDINATION AND CONSULTATION.—

18 “(1) COORDINATION.—Each State that makes
19 1 or more grants under this section in any fiscal
20 year shall, to the maximum extent practicable, im-
21 plement a statewide communications network with
22 the capacity to track the participants in jail-based
23 substance abuse treatment programs established by
24 local correctional facilities in the State as those par-

1 ticipants move between local correctional facilities
2 within the State.

3 “(2) CONSULTATION.—Each State described in
4 paragraph (1) shall consult with the Attorney Gen-
5 eral and the Secretary of Health and Human Serv-
6 ices to ensure that each jail-based substance abuse
7 treatment program assisted with a grant made by
8 the State under this section incorporates applicable
9 components of comprehensive approaches, including
10 relapse prevention and aftercare services.

11 “(f) USE OF GRANT AMOUNTS.—

12 “(1) IN GENERAL.—Each local correctional fa-
13 cility that receives a grant under this section shall
14 use the grant amount solely for the purpose of car-
15 rying out the jail-based substance abuse treatment
16 program described in the application submitted
17 under subsection (c).

18 “(2) ADMINISTRATION.—Each local correctional
19 facility that receives a grant under this section shall
20 carry out all activities relating to the administration
21 of the grant amount, including reviewing the manner
22 in which the amount is expended, processing, moni-
23 toring the progress of the program assisted, finan-
24 cial reporting, technical assistance, grant adjust-
25 ments, accounting, auditing, and fund disbursement.

1 “(3) RESTRICTION.—A local correctional facil-
2 ity may not use any amount of a grant under this
3 section for land acquisition or a construction project.

4 “(g) REPORTING REQUIREMENT; PERFORMANCE RE-
5 VIEW.—

6 “(1) REPORTING REQUIREMENT.—Not later
7 than March 1 each year, each local correctional facil-
8 ity that receives a grant under this section shall sub-
9 mit to the Attorney General, through the State, a
10 description and evaluation of the jail-based sub-
11 stance abuse treatment program carried out by the
12 local correctional facility with the grant amount, in
13 such form and containing such information as the
14 Attorney General may reasonably require.

15 “(2) PERFORMANCE REVIEW.—The Attorney
16 General shall conduct an annual review of each jail-
17 based substance abuse treatment program assisted
18 under this section, in order to verify the compliance
19 of local correctional facilities with the requirements
20 of this section.

21 “(h) MINIMUM ALLOCATION.—Unless all eligible ap-
22 plications submitted by any State or unit of local govern-
23 ment within such State for a grant under this section have
24 been funded, such State, together with grantees within the
25 State (other than Indian tribes), shall be allocated in each

1 fiscal year under this section not less than 0.75 percent
2 of the total amount appropriated in the fiscal year for
3 grants pursuant to this section.”.

4 (c) ELIGIBILITY FOR SUBSTANCE ABUSE TREAT-
5 MENT.—Part S of title I of the Omnibus Crime Control
6 and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.),
7 as amended by subsection (b), is further amended by add-
8 ing at the end the following:

9 **“SEC. 1907. DEFINITIONS.**

10 “In this part:

11 “(1) The term ‘inmate’ means an adult or a ju-
12 venile who is incarcerated or detained in any State
13 or local correctional facility.

14 “(2) The term ‘correctional facility’ includes a
15 secure detention facility and a secure correctional fa-
16 cility (as those terms are defined in section 103 of
17 the Juvenile Justice and Delinquency Prevention Act
18 of 1974 (42 U.S.C. 5603)).”.

19 (d) CLERICAL AMENDMENT.—The table of contents
20 for title I of the Omnibus Crime Control and Safe Streets
21 Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the
22 matter relating to part S by adding at the end the fol-
23 lowing:

“1906. Jail-based substance abuse treatment.
“1907. Definitions.”.

1 (e) SUBSTANCE ABUSE TREATMENT IN FEDERAL
2 PRISONS REAUTHORIZATION.—Section 3621(e) of title
3 18, United States Code, is amended—

4 (1) in paragraph (4), by striking subparagraph
5 (E) and inserting the following:

6 “(E) \$38,000,000 for fiscal year 2002; and

7 “(F) \$40,000,000 for fiscal year 2003.”;

8 and

9 (2) in paragraph (5)—

10 (A) in subparagraph (B), by striking

11 “and” at the end;

12 (B) in subparagraph (C), by striking the
13 period and inserting “; and”; and

14 (C) by adding at the end the following:

15 “(D) the term ‘appropriate substance
16 abuse treatment’ means treatment in a program
17 that has been shown to be efficacious and incor-
18 porates research-based principles of effective
19 substance abuse treatment as determined by the
20 Secretary of Health and Human Services.”.

21 (f) REAUTHORIZATION.—Paragraph (17) of section
22 1001(a) of title I of the Omnibus Crime Control and Safe
23 Streets Act of 1968 (42 U.S.C. 3793(a)(17)) is amended
24 to read as follows:

1 “(17) There are authorized to be appropriated
2 to carry out part S \$100,000,000 for fiscal year
3 2002 and such sums as may be necessary for fiscal
4 years 2003 and 2004.”.

5 (g) USE OF RESIDENTIAL SUBSTANCE ABUSE
6 TREATMENT GRANTS TO PROVIDE FOR SERVICES DUR-
7 ING AND AFTER INCARCERATION.—Section 1901 of title
8 I of the Omnibus Crime Control and Safe Streets Act of
9 1968 (42 U.S.C. 3796ff) is amended by adding at the end
10 the following:

11 “(c) ADDITIONAL USE OF FUNDS.—States that dem-
12 onstrate that they have existing in-prison drug treatment
13 programs that are in compliance with Federal require-
14 ments may use funds awarded under this part for treat-
15 ment and sanctions both during incarceration and after
16 release.

17 “(d) CONSULTATION.—The Attorney General shall
18 consult with the Secretary of Health and Human Services
19 to ensure that programs of substance abuse treatment and
20 related services for State prisoners carried out under this
21 part incorporate applicable components of existing, com-
22 prehensive approaches including relapse prevention and
23 aftercare services that have been shown to be efficacious
24 and incorporate research-based principles of effective sub-

1 stance abuse treatment as determined by the Secretary of
2 Health and Human Services.”.

3 **SEC. 203. MANDATORY REVOCATION OF PROBATION AND**
4 **SUPERVISED RELEASE FOR FAILING A DRUG**
5 **TEST.**

6 (a) REVOCATION OF PROBATION.—Section 3565(b)
7 of title 18, United States Code, is amended—

8 (1) in paragraph (2), by striking “or” after the
9 semicolon;

10 (2) in paragraph (3), by striking “(4),” and in-
11 serting “(4); or”; and

12 (3) by adding after paragraph (3) the following:

13 “(4) as a part of drug testing, tests positive for
14 illegal controlled substances more than 3 times over
15 the course of 1 year;”.

16 (b) REVOCATION OF SUPERVISED RELEASE.—Sec-
17 tion 3583(g) of title 18, United States Code, is amended—

18 (1) in paragraph (2), by striking “or” after the
19 semicolon;

20 (2) in paragraph (3), by inserting “or” after
21 the semicolon; and

22 (3) by adding after paragraph (3) the following:

23 “(4) as a part of drug testing, tests positive for
24 illegal controlled substances more than 3 times over
25 the course of 1 year;”.

1 **SEC. 204. INCREASED PENALTIES FOR PROVIDING AN IN-**
2 **MATE WITH A CONTROLLED SUBSTANCE.**

3 (a) IN GENERAL.—

4 (1) AMENDMENT TO FEDERAL SENTENCING
5 GUIDELINES.—Pursuant to its authority under sec-
6 tion 994(p) of title 28, United States Code, the
7 United States Sentencing Commission shall review
8 and amend, if appropriate, the Federal sentencing
9 guidelines and its policy statements in accordance
10 with this subsection with respect to any offense re-
11 lating to providing a Federal prisoner a Schedule I
12 or II controlled substance (including an attempt or
13 conspiracy to do any of the foregoing) in violation of
14 the Controlled Substances Act (21 U.S.C. 801 et
15 seq.).

16 (2) REQUIREMENTS.—In carrying out this sub-
17 section, the United States Sentencing Commission
18 shall consider increasing the base offense level for
19 any offense described in paragraph (1) to a level not
20 less than level 26.

21 (3) EMERGENCY AUTHORITY TO SENTENCING
22 COMMISSION.—The United States Sentencing Com-
23 mission shall promulgate amendments pursuant to
24 this subsection as soon as practicable after the date
25 of enactment of this Act in accordance with the pro-
26 cedure set forth in section 21(a) of the Sentencing

1 Act of 1987 (Public Law 100–182), as though the
2 authority under that Act had not expired.

3 (b) LAW ENFORCEMENT OR CORRECTIONS OFFI-
4 CER.—

5 (1) AMENDMENT TO FEDERAL SENTENCING
6 GUIDELINES.—Pursuant to its authority under sec-
7 tion 994(p) of title 28, United States Code, the
8 United States Sentencing Commission shall amend
9 the Federal sentencing guidelines in accordance with
10 this subsection with respect to any offense relating
11 to a Federal law enforcement or corrections officer
12 providing a Federal prisoner a Schedule I or II con-
13 trolled substance (including an attempt or con-
14 spiracy to do any of the foregoing) in violation of the
15 Controlled Substances Act (21 U.S.C. 801 et seq.).

16 (2) REQUIREMENTS.—In carrying out this sub-
17 section, the United States Sentencing Commission
18 shall consider increasing the base offense level for
19 any offense described in paragraph (1) by not less
20 than 2 offense levels above the applicable level in ef-
21 fect on the date of enactment of this Act.

22 (3) EMERGENCY AUTHORITY TO SENTENCING
23 COMMISSION.—The United States Sentencing Com-
24 mission shall promulgate amendments pursuant to
25 this subsection as soon as practicable after the date

1 of enactment of this Act in accordance with the pro-
2 cedure set forth in section 21(a) of the Sentencing
3 Act of 1987 (Public Law 100–182), as though the
4 authority under that Act had not expired.

5 (c) EFFECTIVE DATE.—The amendments made pur-
6 suant to this section shall apply with respect to any of-
7 fense occurring on or after the date that is 60 days after
8 the date of enactment of this Act.

9 **TITLE III—TREATMENT AND** 10 **PREVENTION**

11 **SEC. 301. DRUG TREATMENT ALTERNATIVE TO PRISON** 12 **PROGRAMS ADMINISTERED BY STATE OR** 13 **LOCAL PROSECUTORS.**

14 (a) PROSECUTION DRUG TREATMENT ALTERNATIVE
15 TO PRISON PROGRAMS.—Title I of the Omnibus Crime
16 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
17 et seq.) is amended by adding at the end the following
18 new part:

19 **“PART CC—PROSECUTION DRUG TREATMENT** 20 **ALTERNATIVE TO PRISON PROGRAMS**

21 **“SEC. 2901. PILOT PROGRAM AUTHORIZED.**

22 “(a) IN GENERAL.—The Attorney General may make
23 grants to State or local prosecutors for the purpose of de-
24 veloping, implementing, or expanding drug treatment al-

1 ternative to prison programs that comply with the require-
2 ments of this part.

3 “(b) USE OF FUNDS.—A State or local prosecutor
4 who receives a grant under this part shall use amounts
5 provided under the grant to develop, implement, or expand
6 the drug treatment alternative to prison program for
7 which the grant was made, which may include payment
8 of the following expenses:

9 “(1) Salaries, personnel costs, equipment costs,
10 and other costs directly related to the operation of
11 the program, including the enforcement unit.

12 “(2) Payments to licensed substance abuse
13 treatment providers for providing treatment to of-
14 fenders participating in the program for which the
15 grant was made, including aftercare supervision, vo-
16 cational training, education, and job placement.

17 “(3) Payments to public and nonprofit private
18 entities for providing treatment to offenders partici-
19 pating in the program for which the grant was
20 made.

21 “(c) FEDERAL SHARE.—The Federal share of a
22 grant under this part shall not exceed 75 percent of the
23 cost of the program.

24 “(d) SUPPLEMENT AND NOT SUPPLANT.—Grant
25 amounts received under this part shall be used to supple-

1 ment, and not supplant, non-Federal funds that would
2 otherwise be available for activities funded under this part.

3 **“SEC. 2902. PROGRAM REQUIREMENTS.**

4 “A drug treatment alternative to prison program with
5 respect to which a grant is made under this part shall
6 comply with the following requirements:

7 “(1) A State or local prosecutor shall admin-
8 ister the program.

9 “(2) An eligible offender may participate in the
10 program only with the consent of the State or local
11 prosecutor.

12 “(3) Each eligible offender who participates in
13 the program shall, as an alternative to incarceration,
14 be sentenced to or placed with a long term, drug
15 free residential substance abuse treatment provider
16 that is licensed under State or local law.

17 “(4) Each eligible offender who participates in
18 the program shall serve a sentence of imprisonment
19 with respect to the underlying crime if that offender
20 does not successfully complete treatment with the
21 residential substance abuse provider.

22 “(5) Each residential substance abuse provider
23 treating an offender under the program shall—

24 “(A) make periodic reports of the progress
25 of treatment of that offender to the State or

1 local prosecutor carrying out the program and
2 to the appropriate court in which the defendant
3 was convicted; and

4 “(B) notify that prosecutor and that court
5 if that offender absconds from the facility of
6 the treatment provider or otherwise violates the
7 terms and conditions of the program.

8 “(6) The program shall have an enforcement
9 unit comprised of law enforcement officers under the
10 supervision of the State or local prosecutor carrying
11 out the program, the duties of which shall include
12 verifying an offender’s addresses and other contacts,
13 and, if necessary, locating, apprehending, and ar-
14 resting an offender who has absconded from the fa-
15 cility of a residential substance abuse treatment pro-
16 vider or otherwise violated the terms and conditions
17 of the program, and returning such offender to court
18 for sentence on the underlying crime.

19 **“SEC. 2903. APPLICATIONS.**

20 “(a) IN GENERAL.—To request a grant under this
21 part, a State or local prosecutor shall submit an applica-
22 tion to the Attorney General in such form and containing
23 such information as the Attorney General may reasonably
24 require.

1 “(b) CERTIFICATIONS.—Each such application shall
2 contain the certification of the State or local prosecutor
3 that the program for which the grant is requested shall
4 meet each of the requirements of this part.

5 **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

6 “The Attorney General shall ensure that, to the ex-
7 tent practicable, the distribution of grant awards is equi-
8 table and includes State or local prosecutors—

9 “(1) in each State; and

10 “(2) in rural, suburban, and urban jurisdic-
11 tions.

12 **“SEC. 2905. REPORTS AND EVALUATIONS.**

13 “For each fiscal year, each recipient of a grant under
14 this part during that fiscal year shall submit to the Attor-
15 ney General a report regarding the effectiveness of activi-
16 ties carried out using that grant. Each report shall include
17 an evaluation in such form and containing such informa-
18 tion as the Attorney General may reasonably require. The
19 Attorney General shall specify the dates on which such
20 reports shall be submitted.

21 **“SEC. 2906. DEFINITIONS.**

22 “In this part:

23 “(1) The term ‘State or local prosecutor’ means
24 any district attorney, State attorney general, county
25 attorney, or corporation counsel who has authority

1 to prosecute criminal offenses under State or local
2 law.

3 “(2) The term ‘eligible offender’ means an indi-
4 vidual who—

5 “(A) has been convicted of, or pled guilty
6 to, or admitted guilt with respect to a crime for
7 which a sentence of imprisonment is required
8 and has not completed such sentence;

9 “(B) has never been convicted of, or pled
10 guilty to, or admitted guilt with respect to, and
11 is not presently charged with, a felony crime of
12 violence, a major drug offense, or a crime that
13 is considered a violent felony under State or
14 local law; and

15 “(C) has been found by a professional sub-
16 stance abuse screener to be in need of sub-
17 stance abuse treatment because that offender
18 has a history of substance abuse that is a sig-
19 nificant contributing factor to that offender’s
20 criminal conduct.

21 “(3) The term ‘felony crime of violence’ has the
22 meaning given such term in section 924(c)(3) of title
23 18, United States Code.

1 “(4) The term ‘major drug offense’ has the
2 meaning given such term in section 36(a) of title 18,
3 United States Code.”.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
5 1001(a) of title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by
7 adding at the end the following new paragraph:

8 “(24) There are authorized to be appropriated
9 to carry out part CC \$30,000,000 for each of fiscal
10 years 2002 through 2004.”.

11 (c) STUDY OF THE EFFECT OF MANDATORY MIN-
12 IMUM SENTENCES FOR CONTROLLED SUBSTANCE OF-
13 FENSES.—Not later than 1 year after the date of enact-
14 ment of this Act, the United States Sentencing Commis-
15 sion shall submit to the Committees on the Judiciary of
16 the House of Representatives and the Senate a report re-
17 garding mandatory minimum sentences for controlled sub-
18 stance offenses, which shall include an analysis of—

19 (1) whether such sentences may have a dis-
20 proportionate impact on ethnic or racial groups;

21 (2) the effectiveness of such sentences in reduc-
22 ing drug-related crime by violent offenders; and

23 (3) the frequency and appropriateness of the
24 use of such sentences for nonviolent offenders in

1 contrast with other approaches such as drug treat-
2 ment programs.

3 **SEC. 302. JUVENILE SUBSTANCE ABUSE COURTS.**

4 (a) GRANT AUTHORITY.—Title I of the Omnibus
5 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
6 3711 et seq.) is amended by adding at the end the fol-
7 lowing:

8 **“PART DD—JUVENILE SUBSTANCE ABUSE**
9 **COURTS**

10 **“SEC. 2926. DEFINITIONS.**

11 “In this part:

12 “(1) The term ‘violent juvenile offender’ means
13 a juvenile who has been convicted of a violent of-
14 fense or adjudicated delinquent for an act that, if
15 committed by an adult, would constitute a violent of-
16 fense.

17 “(2) The term ‘violent offense’ means a crimi-
18 nal offense during the course of which—

19 “(A) the individual carried, possessed, or
20 used a firearm or dangerous weapon;

21 “(B) the death of or serious bodily injury
22 of another person occurred as a direct result of
23 the commission of such offense; or

24 “(C) the individual used force against the
25 person of another.

1 **“SEC. 2927. GRANT AUTHORITY.**

2 “(a) APPROPRIATE SUBSTANCE ABUSE COURT PRO-
3 GRAMS.—The Attorney General may make grants to
4 States, State courts, local courts, units of local govern-
5 ment, and Indian tribes in accordance with this part to
6 establish programs that—

7 “(1) involve continuous judicial supervision over
8 juvenile offenders (other than violent juvenile offend-
9 ers) with substance abuse problems;

10 “(2) integrate administration of other sanctions
11 and services, which include—

12 “(A) mandatory periodic testing for the
13 use of controlled substances or other addictive
14 substances during any period of supervised re-
15 lease or probation for each participant;

16 “(B) substance abuse treatment for each
17 participant;

18 “(C) probation, diversion, or other super-
19 vised release involving the possibility of prosecu-
20 tion, confinement, or incarceration based on
21 noncompliance with program requirements or
22 failure to show satisfactory progress; and

23 “(D) programmatic offender management,
24 and aftercare services such as relapse preven-
25 tion, health care, education, vocational training,
26 job placement, housing placement, and child

1 care or other family support service for each
2 participant who requires such services; and

3 “(3) may include—

4 “(A) payment, in whole or in part, by the
5 offender or his or her parent or guardian of
6 treatment costs, to the extent practicable, such
7 as costs for urinalysis or counseling;

8 “(B) payment, in whole or in part, by the
9 offender or his or her parent or guardian of
10 restitution, to the extent practicable, to either a
11 victim of the offender’s offense or to a restitu-
12 tion or similar victim support fund; and

13 “(C) economic sanctions shall not be at a
14 level that would interfere with the juvenile of-
15 fender’s education or rehabilitation.

16 “(b) USE OF GRANTS FOR NECESSARY SUPPORT
17 PROGRAMS.—A recipient of a grant under this part may
18 use the grant to pay for treatment, counseling, and other
19 related and necessary expenses not covered by other Fed-
20 eral, State, Indian tribal, and local sources of funding that
21 would otherwise be available.

22 “(c) CONTINUED AVAILABILITY OF GRANT FUNDS.—
23 Amounts made available under this part shall remain
24 available until expended.

1 **“SEC. 2928. APPLICATIONS.**

2 “(a) IN GENERAL.—In order to receive a grant under
3 this part, the chief executive or the chief justice of a State,
4 or the chief executive or chief judge of a unit of local gov-
5 ernment or Indian tribe shall submit an application to the
6 Attorney General in such form and containing such infor-
7 mation as the Attorney General may reasonably require.

8 “(b) CONTENTS.—In addition to any other require-
9 ments that may be specified by the Attorney General, each
10 application for a grant under this part shall—

11 “(1) include a long-term strategy and detailed
12 implementation plan;

13 “(2) explain the applicant’s need for Federal
14 assistance;

15 “(3) certify that the Federal support provided
16 will be used to supplement, and not supplant, State,
17 Indian tribal, and local sources of funding that
18 would otherwise be available;

19 “(4) identify related governmental or commu-
20 nity initiatives that complement or will be coordi-
21 nated with the proposal;

22 “(5) certify that there has been appropriate
23 consultation with all affected agencies and that there
24 will be appropriate coordination with all affected
25 agencies in the implementation of the program;

1 “(6) certify that participating offenders will be
2 supervised by one or more designated judges with re-
3 sponsibility for the substance abuse court program;

4 “(7) specify plans for obtaining necessary sup-
5 port and continuing the proposed program following
6 the conclusion of Federal support; and

7 “(8) describe the methodology that will be used
8 in evaluating the program.

9 **“SEC. 2929. FEDERAL SHARE.**

10 “(a) IN GENERAL.—The Federal share of a grant
11 made under this part may not exceed 75 percent of the
12 total costs of the program described in the application sub-
13 mitted under section 2928 for the fiscal year for which
14 the program receives assistance under this part.

15 “(b) WAIVER.—The Attorney General may waive, in
16 whole or in part, the requirement of a matching contribu-
17 tion under subsection (a).

18 “(c) IN-KIND CONTRIBUTIONS.—In-kind contribu-
19 tions may constitute a portion of the non-Federal share
20 of a grant under this part.

21 **“SEC. 2930. DISTRIBUTION OF FUNDS.**

22 “(a) GEOGRAPHICAL DISTRIBUTION.—The Attorney
23 General shall ensure that, to the extent practicable, an eq-
24 uitable geographic distribution of grant awards is made.

1 “(b) INDIAN TRIBES.—The Attorney General shall
2 allocate 0.75 percent of amounts made available under
3 this part for grants to Indian tribes.

4 “(c) MINIMUM ALLOCATION.—Unless all eligible ap-
5 plications submitted by any State or unit of local govern-
6 ment within such State for a grant under this part have
7 been funded, such State, together with grantees within the
8 State (other than Indian tribes), shall be allocated in each
9 fiscal year under this part not less than 0.75 percent of
10 the total amount appropriated in the fiscal year for grants
11 pursuant to this part.

12 **“SEC. 2931. REPORT.**

13 “Each recipient of a grant under this part during a
14 fiscal year shall submit to the Attorney General a report
15 regarding the effectiveness of programs established with
16 the grant on the date specified by the Attorney General.

17 **“SEC. 2932. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
18 **UATION.**

19 “(a) TECHNICAL ASSISTANCE AND TRAINING.—The
20 Attorney General may provide technical assistance and
21 training in furtherance of the purposes of this part.

22 “(b) EVALUATIONS.—In addition to any evaluation
23 requirement that may be prescribed for recipients of
24 grants under this part, the Attorney General may carry

1 out or make arrangements for evaluations of programs
2 that receive assistance under this part.

3 “(c) ADMINISTRATION.—The technical assistance,
4 training, and evaluations authorized by this section may
5 be carried out directly by the Attorney General, in collabo-
6 ration with the Secretary of Health and Human Services,
7 or through grants, contracts, or other cooperative arrange-
8 ments with other entities.

9 **“SEC. 2933. REGULATIONS.**

10 “The Attorney General shall issue any regulations
11 and guidelines necessary to carry out this part, which shall
12 ensure that the programs funded with grants under this
13 part do not permit participation by violent juvenile offend-
14 ers.

15 **“SEC. 2934. UNAWARDED FUNDS.**

16 “The Attorney General may reallocate any grant
17 funds that are not awarded for juvenile substance abuse
18 courts under this part for use for other juvenile delin-
19 quency and crime prevention initiatives.

20 **“SEC. 2935. AUTHORIZATION OF APPROPRIATIONS.**

21 “There is authorized to be appropriated for each of
22 fiscal years 2002 through 2004, \$50,000,000 to carry out
23 this part.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 for title I of the Omnibus Crime Control and Safe Streets

1 Act of 1968 (42 U.S.C. 3711 et seq.) is amended by add-
2 ing at the end the following:

“PART DD—JUVENILE SUBSTANCE ABUSE COURTS

“Sec. 2926. Definitions.

“Sec. 2927. Grant authority.

“Sec. 2928. Applications.

“Sec. 2929. Federal share.

“Sec. 2930. Distribution of funds.

“Sec. 2931. Report.

“Sec. 2932. Technical assistance, training, and evaluation.

“Sec. 2933. Regulations.

“Sec. 2934. Unawarded funds.

“Sec. 2935. Authorization of appropriations.”.

3 **SEC. 303. EXPANSION OF SUBSTANCE ABUSE EDUCATION**
4 **AND PREVENTION EFFORTS.**

5 (a) EXPANSION OF EFFORTS.—Section 515 of the
6 Public Health Service Act (42 U.S.C. 290bb–21) is
7 amended by adding at the end the following:

8 “(e)(1) The Administrator may make grants to and
9 enter into contracts and cooperative agreements with pub-
10 lic and nonprofit private entities to enable such entities—

11 “(A) to carry out school-based programs con-
12 cerning the dangers of abuse of and addiction to il-
13 licit drugs, using methods that are effective and re-
14 search-based, including initiatives that give students
15 the responsibility to create their own antidrug abuse
16 education programs for their schools; and

17 “(B) to carry out community-based abuse and
18 addiction prevention programs relating to illicit
19 drugs that are effective and research-based.

1 “(2) Amounts made available under a grant, con-
2 tract, or cooperative agreement under paragraph (1) shall
3 be used for planning, establishing, or administering pre-
4 vention programs relating to illicit drugs in accordance
5 with paragraph (3).

6 “(3)(A) Amounts provided under this subsection may
7 be used—

8 “(i) to carry out school-based programs that
9 are focused on those districts with high or increasing
10 rates of drug abuse and addiction and targeted at
11 populations which are most at-risk to start abuse of
12 illicit drugs;

13 “(ii) to carry out community-based prevention
14 programs that are focused on those populations
15 within the community that are most at-risk for
16 abuse of and addiction to illicit drugs;

17 “(iii) to assist local government entities to con-
18 duct appropriate prevention activities relating to il-
19 licit drugs;

20 “(iv) to train and educate State and local law
21 enforcement officials, prevention and education offi-
22 cials, members of community antidrug coalitions and
23 parents on the signs of abuse of and addiction to il-
24 licit drugs, and the options for treatment and pre-
25 vention;

1 “(v) for planning, administration, and edu-
2 cational activities related to the prevention of abuse
3 of and addiction to illicit drugs;

4 “(vi) for the monitoring and evaluation of pre-
5 vention activities relating to illicit drugs, and report-
6 ing and disseminating resulting information to the
7 public; and

8 “(vii) for targeted pilot programs with evalua-
9 tion components to encourage innovation and experi-
10 mentation with new methodologies.

11 “(B) The Administrator shall give priority in making
12 grants under this subsection to rural States, urban areas,
13 and other areas that are experiencing a high rate or rapid
14 increases in drug abuse and addiction.

15 “(4)(A) Not less than \$500,000 of the amount avail-
16 able in each fiscal year to carry out this subsection shall
17 be made available to the Administrator, acting in consulta-
18 tion with other Federal agencies, to support and conduct
19 periodic analyses and evaluations of effective prevention
20 programs for abuse of and addiction to illicit drugs and
21 the development of appropriate strategies for dissemi-
22 nating information about and implementing these pro-
23 grams.

24 “(B) The Administrator shall submit to the commit-
25 tees of Congress referred to in subparagraph (C) an an-

1 nual report with the results of the analyses and evaluation
2 under subparagraph (A).

3 “(C) The committees of Congress referred to in this
4 subparagraph are the following:

5 “(i) The Committees on Health, Education,
6 Labor, and Pensions, the Judiciary, and Appropria-
7 tions of the Senate.

8 “(ii) The Committees on Energy and Com-
9 merce, the Judiciary, and Appropriations of the
10 House of Representatives.”.

11 (b) AUTHORIZATION OF APPROPRIATIONS FOR EX-
12 PANSION OF ABUSE PREVENTION EFFORTS AND PRACTI-
13 TIONER REGISTRATION REQUIREMENTS.—There is au-
14 thorized to be appropriated to carry out section 515(e) of
15 the Public Health Service Act (as added by subsection (a))
16 and section 303(g)(2) of the Controlled Substances Act
17 (as added by section 18(a) of this Act), \$100,000,000 for
18 fiscal year 2002, and such sums as maybe necessary for
19 each succeeding fiscal year.

20 (c) MINIMUM ALLOCATION.—Unless all eligible appli-
21 cations submitted by any State or unit of local government
22 within such State for a grant under this section have been
23 funded, such State, together with grantees within the
24 State (other than Indian tribes), shall be allocated in each
25 fiscal year under this section not less than 0.75 percent

1 of the total amount appropriated in the fiscal year for
2 grants pursuant to this section.

3 **SEC. 304. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.**
4

5 (a) IN GENERAL.—The Director of the Center for
6 Substance Abuse Treatment shall provide awards of
7 grants, cooperative agreement, or contracts to public and
8 nonprofit private entities for the purpose of providing
9 treatment facilities in rural States and economically de-
10 pressed communities that have high rates of drug addic-
11 tion but lack the resources to provide adequate treatment.

12 (b) MINIMUM QUALIFICATIONS FOR RECEIPT OF
13 AWARD.—With respect to the principal agency of the
14 State involved that administers programs relating to sub-
15 stance abuse, the Director may make an award under sub-
16 section (a) to an applicant only if the agency has certified
17 to the Director that—

18 (1) the applicant has the capacity to carry out
19 a program described in subsection (a);

20 (2) the plans of the applicant for such a pro-
21 gram are consistent with the policies of such agency
22 regarding the treatment of substance abuse; and

23 (3) the applicant, or any entity through which
24 the applicant will provide authorized services, meets
25 all applicable State licensure or certification require-

1 ments regarding the provision of the services in-
2 volved.

3 (c) REQUIREMENT OF MATCHING FUNDS.—

4 (1) IN GENERAL.—With respect to the costs of
5 the program to be carried out by an applicant pursu-
6 ant to subsection (a), a funding agreement for an
7 award under such subsection is that the applicant
8 will make available (directly or through donations
9 from public or private entities) non-Federal con-
10 tributions toward such costs in an amount that—

11 (A) for the first fiscal year for which the
12 applicant receives payments under an award
13 under such subsection, is not less than \$1 for
14 each \$9 of Federal funds provided in the
15 award;

16 (B) for any second such fiscal year, is not
17 less than \$1 for each \$9 of Federal funds pro-
18 vided in the award; and

19 (C) for any subsequent such fiscal year, is
20 not less than \$1 for each \$3 of Federal funds
21 provided in the award.

22 (2) DETERMINATION OF AMOUNT CONTRIB-
23 UTED.—Non-Federal contributions required in para-
24 graph (1) may be in cash or in kind, fairly evalu-
25 ated, including plant, equipment, or services.

1 Amounts provided by the Federal Government, or
2 services assisted or subsidized to any significant ex-
3 tent by the Federal Government, may not be in-
4 cluded in determining the amount of such non-Fed-
5 eral contributions.

6 (d) REPORTS TO DIRECTOR.—A funding agreement
7 for an award under subsection (a) is that the applicant
8 involved will submit to the Director a report—

9 (1) describing the utilization and costs of serv-
10 ices provided under the award;

11 (2) specifying the number of individuals served
12 and the type and costs of services provided; and

13 (3) providing such other information as the Di-
14 rector determines to be appropriate.

15 (e) REQUIREMENT OF APPLICATION.—The Director
16 may make an award under subsection (a) only if an appli-
17 cation for the award is submitted to the Director con-
18 taining such agreements, and the application is in such
19 form, is made in such manner, and contains such other
20 agreements and such assurances and information as the
21 Director determines to be necessary to carry out this sec-
22 tion.

23 (f) EQUITABLE ALLOCATION OF AWARDS.—In mak-
24 ing awards under subsection (a), the Director shall ensure
25 that the awards are equitably allocated among the prin-

1 cipal geographic regions of the United States, subject to
2 the availability of qualified applicants for the awards.

3 (g) DURATION OF AWARD.—The period during which
4 payments are made to an entity from an award under sub-
5 section (a) may not exceed 5 years. The provision of such
6 payments shall be subject to annual approval by the Direc-
7 tor of the payments and subject to the availability of ap-
8 propriations for the fiscal year involved to make the pay-
9 ments. This subsection may not be construed to establish
10 a limitation on the number of awards under such sub-
11 section that may be made to an entity.

12 (h) EVALUATIONS; DISSEMINATION OF FINDINGS.—
13 The Director shall, directly or through contract, provide
14 for the conduct of evaluations of programs carried out
15 pursuant to subsection (a). The Director shall disseminate
16 to the States the findings made as a result of the evalua-
17 tions.

18 (i) MINIMUM ALLOCATION.—Unless all eligible appli-
19 cations submitted by any State or unit of local government
20 within such State for a grant under this section have been
21 funded, such State, together with grantees within the
22 State (other than Indian tribes), shall be allocated in each
23 fiscal year under this section not less than 0.75 percent
24 of the total amount appropriated in the fiscal year for
25 grants pursuant to this section.

1 (j) DEFINITION OF RURAL STATE.—In this section,
2 the term “rural State” has the same meaning as in section
3 1501(b) of the Omnibus Crime Control and Safe Streets
4 Act of 1968 (42 U.S.C. 3796bb(B)).

5 (k) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 \$50,000,000 for each of the fiscal years 2002, 2003, and
8 2004.

9 **SEC. 305. FUNDING FOR RESIDENTIAL TREATMENT CEN-**
10 **TERS FOR WOMEN AND CHILDREN.**

11 (a) IN GENERAL.—The Director of the Center for
12 Substance Abuse Treatment shall provide awards of
13 grants, cooperative agreement, or contracts to public and
14 nonprofit private entities for the purpose of providing
15 treatment facilities that—

16 (1) provide residential treatment for meth-
17 amphetamine, heroin, and other drug addicted
18 women with minor children; and

19 (2) offer specialized treatment for methamphet-
20 amine-, heroin-, and other drug-addicted mothers
21 and allow the minor children of those mothers to re-
22 side with them in the facility or nearby while treat-
23 ment is ongoing.

24 (b) MINIMUM QUALIFICATIONS FOR RECEIPT OF
25 AWARD.—With respect to the principal agency of the

1 State involved that administers programs relating to sub-
2 stance abuse, the Director may make an award under sub-
3 section (a) to an applicant only if the agency has certified
4 to the Director that—

5 (1) the applicant has the capacity to carry out
6 a program described in subsection (a);

7 (2) the plans of the applicant for such a pro-
8 gram are consistent with the policies of such agency
9 regarding the treatment of substance abuse; and

10 (3) the applicant, or any entity through which
11 the applicant will provide authorized services, meets
12 all applicable State licensure or certification require-
13 ments regarding the provision of the services in-
14 volved.

15 (c) REQUIREMENT OF MATCHING FUNDS.—

16 (1) IN GENERAL.—With respect to the costs of
17 the program to be carried out by an applicant pursu-
18 ant to subsection (a), a funding agreement for an
19 award under such subsection is that the applicant
20 will make available (directly or through donations
21 from public or private entities) non-Federal con-
22 tributions toward such costs in an amount that—

23 (A) for the first fiscal year for which the
24 applicant receives payments under an award
25 under such subsection, is not less than \$1 for

1 each \$9 of Federal funds provided in the
2 award;

3 (B) for any second such fiscal year, is not
4 less than \$1 for each \$9 of Federal funds pro-
5 vided in the award; and

6 (C) for any subsequent such fiscal year, is
7 not less than \$1 for each \$3 of Federal funds
8 provided in the award.

9 (2) DETERMINATION OF AMOUNT CONTRIB-
10 UTED.—Non-Federal contributions required in para-
11 graph (1) may be in cash or in kind, fairly evalu-
12 ated, including plant, equipment, or services.
13 Amounts provided by the Federal Government, or
14 services assisted or subsidized to any significant ex-
15 tent by the Federal Government, may not be in-
16 cluded in determining the amount of such non-Fed-
17 eral contributions.

18 (d) REPORTS TO DIRECTOR.—A funding agreement
19 for an award under subsection (a) is that the applicant
20 involved will submit to the Director a report—

21 (1) describing the utilization and costs of serv-
22 ices provided under the award;

23 (2) specifying the number of individuals served
24 and the type and costs of services provided; and

1 (3) providing such other information as the Di-
2 rector determines to be appropriate.

3 (e) REQUIREMENT OF APPLICATION.—The Director
4 may make an award under subsection (a) only if an appli-
5 cation for the award is submitted to the Director con-
6 taining such agreements, and the application is in such
7 form, is made in such manner, and contains such other
8 agreements and such assurances and information as the
9 Director determines to be necessary to carry out this sec-
10 tion.

11 (f) PRIORITY.—In making grants under this sub-
12 section, the Director shall give priority to areas experi-
13 encing a high rate or rapid increase in drug abuse and
14 addiction.

15 (g) EQUITABLE ALLOCATION OF AWARDS.—In mak-
16 ing awards under subsection (a), the Director shall ensure
17 that the awards are equitably allocated among the prin-
18 cipal geographic regions of the United States, subject to
19 the availability of qualified applicants for the awards.

20 (h) DURATION OF AWARD.—The period during which
21 payments are made to an entity from an award under sub-
22 section (a) may not exceed 5 years. The provision of such
23 payments shall be subject to annual approval by the Direc-
24 tor of the payments and subject to the availability of ap-
25 propriations for the fiscal year involved to make the pay-

1 ments. This subsection may not be construed to establish
2 a limitation on the number of awards under such sub-
3 section that may be made to an entity.

4 (i) EVALUATIONS; DISSEMINATION OF FINDINGS.—
5 The Director shall, directly or through contract, provide
6 for the conduct of evaluations of programs carried out
7 pursuant to subsection (a). The Director shall disseminate
8 to the States the findings made as a result of the evalua-
9 tions.

10 (j) MINIMUM ALLOCATION.—Unless all eligible appli-
11 cations submitted by any State or unit of local government
12 within such State for a grant under this section have been
13 funded, such State, together with grantees within the
14 State (other than Indian tribes), shall be allocated in each
15 fiscal year under this section not less than 0.75 percent
16 of the total amount appropriated in the fiscal year for
17 grants pursuant to this section.

18 (k) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 \$10,000,000 for each of the fiscal years 2002, 2003, and
21 2004.

22 **SEC. 306. DRUG TREATMENT FOR JUVENILES.**

23 Title V of the Public Health Service Act (42 U.S.C.
24 290aa et seq.) is amended by adding at the end the fol-
25 lowing:

1 **“PART G—RESIDENTIAL TREATMENT PROGRAMS**
2 **FOR JUVENILES**

3 **“SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JU-**
4 **VENILES.**

5 “(a) IN GENERAL.—The Director of the Center for
6 Substance Abuse Treatment shall award grants to, or
7 enter into cooperative agreements or contracts, with public
8 and nonprofit private entities for the purpose of providing
9 treatment to juveniles for substance abuse through pro-
10 grams that are effective and science-based in which, dur-
11 ing the course of receiving such treatment the juveniles
12 reside in facilities made available by the programs.

13 “(b) AVAILABILITY OF SERVICES FOR EACH PARTIC-
14 IPANT.—A funding agreement for an award under sub-
15 section (a) for an applicant is that, in the program oper-
16 ated pursuant to such subsection—

17 “(1) treatment services will be available
18 through the applicant, either directly or through
19 agreements with other public or nonprofit private
20 entities; and

21 “(2) the services will be made available to each
22 person admitted to the program.

23 “(c) INDIVIDUALIZED PLAN OF SERVICES.—A fund-
24 ing agreement for an award under subsection (a) for an
25 applicant is that—

1 “(1) in providing authorized services for an eli-
2 gible person pursuant to such subsection, the appli-
3 cant will, in consultation with the juvenile and, if ap-
4 propriate the parent or guardian of the juvenile, pre-
5 pare an individualized plan for the provision to the
6 juvenile or young adult of the services; and

7 “(2) treatment services under the plan will
8 include—

9 “(A) individual, group, and family coun-
10 seling, as appropriate, regarding substance
11 abuse; and

12 “(B) followup services to assist the juvenile
13 or young adult in preventing a relapse into such
14 abuse.

15 “(d) ELIGIBLE SUPPLEMENTAL SERVICES.—Grants
16 under subsection (a) may be used to provide an eligible
17 juvenile, the following services:

18 “(1) HOSPITAL REFERRALS.—Referrals for nec-
19 essary hospital services.

20 “(2) HIV AND AIDS COUNSELING.—Counseling
21 on the human immunodeficiency virus and on ac-
22 quired immune deficiency syndrome.

23 “(3) DOMESTIC VIOLENCE AND SEXUAL ABUSE
24 COUNSELING.—Counseling on domestic violence and
25 sexual abuse.

1 “(4) PREPARATION FOR REENTRY INTO SOCI-
2 ETY.—Planning for and counseling to assist reentry
3 into society, both before and after discharge, includ-
4 ing referrals to any public or nonprofit private enti-
5 ties in the community involved that provide services
6 appropriate for the juvenile.

7 “(e) MINIMUM QUALIFICATIONS FOR RECEIPT OF
8 AWARD.—With respect to the principal agency of a State
9 or Indian tribe that administers programs relating to sub-
10 stance abuse, the Director may award a grant to, or enter
11 into a cooperative agreement or contract with, an appli-
12 cant only if the agency or Indian tribe has certified to
13 the Director that—

14 “(1) the applicant has the capacity to carry out
15 a program described in subsection (a);

16 “(2) the plans of the applicant for such a pro-
17 gram are consistent with the policies of such agency
18 regarding the treatment of substance abuse; and

19 “(3) the applicant, or any entity through which
20 the applicant will provide authorized services, meets
21 all applicable State licensure or certification require-
22 ments regarding the provision of the services in-
23 volved.

24 “(f) REQUIREMENTS FOR MATCHING FUNDS.—

1 “(1) IN GENERAL.—With respect to the costs of
2 the program to be carried out by an applicant pursu-
3 ant to subsection (a), a funding agreement for an
4 award under such subsection is that the applicant
5 will make available (directly or through donations
6 from public or private entities) non-Federal con-
7 tributions toward such costs in an amount that—

8 “(A) for the first fiscal year for which the
9 applicant receives payments under an award
10 under such subsection, is not less than \$1 for
11 each \$9 of Federal funds provided in the
12 award;

13 “(B) for any second such fiscal year, is not
14 less than \$1 for each \$9 of Federal funds pro-
15 vided in the award; and

16 “(C) for any subsequent such fiscal year, is
17 not less than \$1 for each \$3 of Federal funds
18 provided in the award.

19 “(2) DETERMINATION OF AMOUNT CONTRIB-
20 UTED.—Non-Federal contributions required in para-
21 graph (1) may be in cash or in kind, fairly evalu-
22 ated, including plant, equipment, or services.
23 Amounts provided by the Federal Government, or
24 services assisted or subsidized to any significant ex-
25 tent by the Federal Government, may not be in-

1 cluded in determining the amount of such non-Fed-
2 eral contributions.

3 “(g) OUTREACH.—A funding agreement for an award
4 under subsection (a) for an applicant is that the applicant
5 will provide outreach services in the community involved
6 to identify juveniles who are engaging in substance abuse
7 and to encourage the juveniles to undergo treatment for
8 such abuse.

9 “(h) ACCESSIBILITY OF PROGRAM.—A funding
10 agreement for an award under subsection (a) for an appli-
11 cant is that the program operated pursuant to such sub-
12 section will be operated at a location that is accessible to
13 low income juveniles.

14 “(i) CONTINUING EDUCATION.—A funding agree-
15 ment for an award under subsection (a) is that the appli-
16 cant involved will provide for continuing education in
17 treatment services for the individuals who will provide
18 treatment in the program to be operated by the applicant
19 pursuant to such subsection.

20 “(j) IMPOSITION OF CHARGES.—A funding agree-
21 ment for an award under subsection (a) for an applicant
22 is that, if a charge is imposed for the provision of author-
23 ized services to or on behalf of an eligible juvenile, such
24 charge—

1 “(1) will be made according to a schedule of
2 charges that is made available to the public;

3 “(2) will be adjusted to reflect the economic
4 condition of the juvenile involved; and

5 “(3) will not be imposed on any such juvenile
6 whose family has an income of less than 185 percent
7 of the official poverty line, as established by the Di-
8 rector of the Office for Management and Budget
9 and revised by the Secretary in accordance with sec-
10 tion 673(2) of the Omnibus Budget Reconciliation
11 Act of 1981 (42 U.S.C. 9902(2)).

12 “(k) REPORTS TO DIRECTOR.—A funding agreement
13 for an award under subsection (a) is that the applicant
14 involved will submit to the Director a report—

15 “(1) describing the utilization and costs of serv-
16 ices provided under the award;

17 “(2) specifying the number of juveniles served,
18 and the type and costs of services provided; and

19 “(3) providing such other information as the
20 Director determines to be appropriate.

21 “(l) REQUIREMENT OF APPLICATION.—The Director
22 may make an award under subsection (a) only if an appli-
23 cation for the award is submitted to the Director con-
24 taining such agreements, and the application is in such
25 form, is made in such manner, and contains such other

1 agreements and such assurances and information as the
2 Director determines to be necessary to carry out this sec-
3 tion.

4 “(m) PRIORITY.—In making grants under this sub-
5 section, the Director shall give priority to areas experi-
6 encing a high rate or rapid increase in drug abuse and
7 addiction.

8 “(n) EQUITABLE ALLOCATION OF AWARDS.—In
9 making awards under subsection (a), the Director shall
10 ensure that the awards are equitably allocated among the
11 principal geographic regions of the United States, as well
12 as among Indian tribes, subject to the availability of quali-
13 fied applicants for the awards.

14 “(o) DURATION OF AWARD.—

15 “(1) IN GENERAL.—The period during which
16 payments are made to an entity from an award
17 under this section may not exceed 5 years.

18 “(2) APPROVAL OF DIRECTOR.—The provision
19 of payments described in paragraph (1) shall be sub-
20 ject to—

21 “(A) annual approval by the Director of
22 the payments; and

23 “(B) the availability of appropriations for
24 the fiscal year at issue to make the payments.

1 “(3) NO LIMITATION.—This subsection may not
2 be construed to establish a limitation on the number
3 of awards that may be made to an entity under this
4 section.

5 “(p) EVALUATIONS; DISSEMINATION OF FIND-
6 INGS.—The Director shall, directly or through contract,
7 provide for the conduct of evaluations of programs carried
8 out pursuant to subsection (a). The Director shall dissemi-
9 nate to the States the findings made as a result of the
10 evaluations.

11 “(q) REPORTS TO CONGRESS.—

12 “(1) INITIAL REPORT.—Not later than October
13 1, 2001, the Director shall submit to the Committee
14 on the Judiciary of the House of Representatives,
15 and to the Committee on the Judiciary of the Sen-
16 ate, a report describing programs carried out pursu-
17 ant to this section.

18 “(2) PERIODIC REPORTS.—

19 “(A) IN GENERAL.—Not less than bienni-
20 ally after the date described in paragraph (1),
21 the Director shall prepare a report describing
22 programs carried out pursuant to this section
23 during the preceding 2-year period, and shall
24 submit the report to the Administrator for in-

1 clusion in the biennial report under section
2 501(k).

3 “(B) SUMMARY.—Each report under this
4 subsection shall include a summary of any eval-
5 uations conducted under subsection (m) during
6 the period with respect to which the report is
7 prepared.

8 “(r) DEFINITIONS.—In this section:

9 “(1) AUTHORIZED SERVICES.—The term ‘au-
10 thorized services’ means treatment services and sup-
11 plemental services.

12 “(2) JUVENILE.—The term ‘juvenile’ means
13 anyone 18 years of age or younger at the time that
14 of admission to a program operated pursuant to sub-
15 section (a).

16 “(3) ELIGIBLE JUVENILE.—The term ‘eligible
17 juvenile’ means a juvenile who has been admitted to
18 a program operated pursuant to subsection (a).

19 “(4) FUNDING AGREEMENT UNDER SUB-
20 SECTION (A).—The term ‘funding agreement under
21 subsection (a)’, with respect to an award under sub-
22 section (a), means that the Director may make the
23 award only if the applicant makes the agreement in-
24 volved.

1 “(5) TREATMENT SERVICES.—The term ‘treat-
2 ment services’ means treatment for substance abuse,
3 including the counseling and services described in
4 subsection (c)(2).

5 “(6) SUPPLEMENTAL SERVICES.—The term
6 ‘supplemental services’ means the services described
7 in subsection (d).

8 “(s) AUTHORIZATION OF APPROPRIATIONS.—

9 “(1) IN GENERAL.—For the purpose of car-
10 rying out this section and section 576 there is au-
11 thorized to be appropriated such sums as may be
12 necessary for fiscal years 2002 through 2004. There
13 is authorized to be appropriated from the Violent
14 Crime Reduction Trust Fund \$100,000,000 in each
15 of fiscal years 2002, 2003, and 2004.

16 “(2) MINIMUM ALLOCATION.—Unless all eligi-
17 ble applications submitted by any State or unit of
18 local government within such State for a grant
19 under this section have been funded, such State, to-
20 gether with grantees within the State (other than
21 Indian tribes), shall be allocated in each fiscal year
22 under this section not less than 0.75 percent of the
23 total amount appropriated in the fiscal year for
24 grants pursuant to this section.

1 “(3) TRANSFER.—For the purpose described in
2 paragraph (1), in addition to the amounts author-
3 ized in such paragraph to be appropriated for a fis-
4 cal year, there is authorized to be appropriated for
5 the fiscal year from the special forfeiture fund of the
6 Director of the Office of National Drug Control Pol-
7 icy such sums as may be necessary.

8 “(4) RULE OF CONSTRUCTION.—The amounts
9 authorized in this subsection to be appropriated are
10 in addition to any other amounts that are authorized
11 to be appropriated and are available for the purpose
12 described in paragraph (1).

13 **“SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVE-**
14 **NILES.**

15 “(a) GRANTS.—The Secretary of Health and Human
16 Services, acting through the Director of the Center for
17 Substance Abuse Treatment, shall make grants to estab-
18 lish projects for the outpatient treatment of substance
19 abuse among juveniles.

20 “(b) PREVENTION.—Entities receiving grants under
21 this section shall engage in activities to prevent substance
22 abuse among juveniles.

23 “(c) EVALUATION.—The Secretary of Health and
24 Human Services shall evaluate projects carried out under

1 subsection (a) and shall disseminate to appropriate public
2 and private entities information on effective projects.”.

3 **SEC. 307. COORDINATED JUVENILE SERVICES GRANTS.**

4 Title II of the Juvenile Justice and Delinquency Pre-
5 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
6 by inserting after section 205 the following:

7 **“SEC. 205A. COORDINATED JUVENILE SERVICES GRANTS.**

8 “(a) IN GENERAL.—The Attorney General and the
9 Secretary of Health and Human Services shall make
10 grants to a consortium within a State consisting of State
11 or local juvenile justice agencies, State or local substance
12 abuse and mental health agencies, and child service agen-
13 cies to coordinate the delivery of services to children
14 among these agencies.

15 “(b) USE OF FUNDS.—A consortium described in
16 subsection (a) that receives a grant under this section
17 shall use the grant for the establishment and implementa-
18 tion of programs that address the service needs of juve-
19 niles with substance abuse and treatment problems who
20 come into contact with the justice system by requiring the
21 following:

22 “(1) Collaboration across child serving systems,
23 including juvenile justice agencies, relevant sub-
24 stance abuse and mental health treatment providers,

1 and State or local educational entities and welfare
2 agencies.

3 “(2) Appropriate screening and assessment of
4 juveniles.

5 “(3) Individual treatment plans.

6 “(4) Significant involvement of juvenile judges
7 where possible.

8 “(c) APPLICATION FOR COORDINATED JUVENILE
9 SERVICES GRANT.—

10 “(1) IN GENERAL.—A consortium described in
11 subsection (a) desiring to receive a grant under this
12 section shall submit an application containing such
13 information as the Administrator may prescribe.

14 “(2) CONTENTS.—In addition to guidelines es-
15 tablished by the Administrator, each application sub-
16 mitted under paragraph (1) shall provide—

17 “(A) certification that there has been ap-
18 propriate consultation with all affected agencies
19 and that there will be appropriate coordination
20 with all affected agencies in the implementation
21 of the program;

22 “(B) for the regular evaluation of the pro-
23 gram funded by the grant and describe the
24 methodology that will be used in evaluating the
25 program;

1 “(C) assurances that the proposed pro-
2 gram or activity will not supplant similar pro-
3 grams and activities currently available in the
4 community; and

5 “(D) specify plans for obtaining necessary
6 support and continuing the proposed program
7 following the conclusion of Federal support.

8 “(3) FEDERAL SHARE.—The Federal share of a
9 grant under this section shall not exceed 75 percent
10 of the cost of the program.

11 “(d) REPORT.—Each recipient of a grant under this
12 section during a fiscal year shall submit to the Attorney
13 General a report regarding the effectiveness of programs
14 established with the grant on the date specified by the At-
15 torney General.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
17 shall be made available from the Violent Crime Reduction
18 Trust Fund for each of fiscal years 2002 through 2004,
19 \$50,000,000 to carry out this section.”.

20 **SEC. 308. EXPANSION OF RESEARCH.**

21 Section 464L of the Public Health Service Act (42
22 U.S.C. 285o) is amended by adding at the end the fol-
23 lowing:

24 “(e) DRUG ABUSE RESEARCH.—

1 “(1) GRANTS OR COOPERATIVE AGREE-
2 MENTS.—The Director of the Institute shall make
3 grants or enter into cooperative agreements to con-
4 duct research on drug abuse treatment and preven-
5 tion, and as is necessary to establish up to 12 new
6 National Drug Abuse Treatment Clinical Trials Net-
7 work (CTN) Centers to develop and test an array of
8 behavioral and pharmacological treatments and to
9 determine the conditions under which novel treat-
10 ments are successfully adopted by local treatment
11 clinics.

12 “(2) USE OF FUNDS.—Amounts made available
13 under a grant or cooperative agreement under para-
14 graph (1) for drug abuse and addiction may be used
15 for research and clinical trials relating to—

16 “(A) the effects of drug abuse on the
17 human body, including the brain;

18 “(B) the addictive nature of various drugs
19 and how such effects differ with respect to dif-
20 ferent individuals;

21 “(C) the connection between drug abuse,
22 mental health, and teenage suicide;

23 “(D) the identification and evaluation of
24 the most effective methods of prevention of

1 drug abuse and addiction among juveniles and
2 adults;

3 “(E) the identification and development of
4 the most effective methods of treatment of drug
5 addiction, including pharmacological treat-
6 ments;

7 “(F) risk factors for drug abuse;

8 “(G) effects of drug abuse and addiction
9 on pregnant women and their fetuses; and

10 “(H) cultural, social, behavioral, neuro-
11 logical and psychological reasons that individ-
12 uals, including juveniles, abuse drugs or refrain
13 from abusing drugs.

14 “(3) RESEARCH RESULTS.—The Director shall
15 promptly disseminate research results under this
16 subsection to Federal, State and local entities in-
17 volved in combating drug abuse and addiction.

18 “(4) AUTHORIZATION OF APPROPRIATIONS.—

19 “(A) AUTHORIZATION OF APPROPRIA-
20 TIONS.—For the purpose of carrying out para-
21 graphs (1), (2), and (3) there is authorized to
22 be appropriated \$76,400,000 for fiscal year
23 2002, and such sums as may be necessary for
24 fiscal years 2003 and 2004, for establishment
25 of up to 12 new CTN Centers and for the iden-

1 tification and development of the most effective
2 methods of treatment and prevention of drug
3 addiction, including pharmacological treatments
4 among juveniles and adults.

5 “(B) SUPPLEMENT NOT SUPPLANT.—
6 Amounts appropriated pursuant to the author-
7 ization of appropriations in subparagraph (A)
8 for a fiscal year shall supplement and not sup-
9 plant any other amounts appropriated in such
10 fiscal year for research on drug abuse and ad-
11 diction.”.

12 **SEC. 309. COMPREHENSIVE STUDY BY NATIONAL ACADEMY**
13 **OF SCIENCES.**

14 (a) IN GENERAL.—The Attorney General, in con-
15 sultation with the Secretary of Health and Human Serv-
16 ices, shall enter into a contract with a public or nonprofit
17 private entity, subject to subsection (b), for the purpose
18 of conducting a study or studies—

19 (1) to evaluate the effectiveness of federally
20 funded programs for preventing youth violence and
21 youth substance abuse;

22 (2) to evaluate the effectiveness of federally
23 funded grant programs for preventing criminal vic-
24 timization of juveniles;

1 (3) to identify specific Federal programs and
2 programs that receive Federal funds that contribute
3 to reductions in youth violence, youth substance
4 abuse, and risk factors among youth that lead to
5 violent behavior and substance abuse;

6 (4) to identify specific programs that have not
7 achieved their intended results; and

8 (5) to make specific recommendations on pro-
9 grams that—

10 (A) should receive continued or increased
11 funding because of their proven success; or

12 (B) should have their funding terminated
13 or reduced because of their lack of effectiveness.

14 (b) NATIONAL ACADEMY OF SCIENCES.—The Attor-
15 ney General, in consultation with the Secretary of Health
16 and Human Services, shall request the National Academy
17 of Sciences to enter into the contract under subsection (a)
18 to conduct the study or studies described in subsection (a).
19 If the Academy declines to conduct the study, the Attorney
20 General shall carry out such subsection through other
21 public or nonprofit private entities.

22 (c) ASSISTANCE.—In conducting the study under
23 subsection (a) the contracting party may obtain analytic
24 assistance, data, and other relevant materials from the

1 Department of Justice and any other appropriate Federal
2 agency.

3 (d) REPORTING REQUIREMENTS.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Attorney Gen-
6 eral shall submit a report describing the findings
7 made as a result of the study required by subsection
8 (a) to the Committee on the Judiciary, the Com-
9 mittee on Economic and Educational Opportunity,
10 and the Committee on Energy and Commerce of the
11 House of Representatives and the Committee on the
12 Judiciary and the Committee on Labor and Human
13 Resources of the Senate.

14 (2) CONTENTS.—The report required by this
15 subsection shall contain specific recommendations
16 concerning funding levels for the programs evalu-
17 ated. Reports on the effectiveness of such programs
18 and recommendations on funding shall be provided
19 to the appropriate subcommittees of the Committee
20 on Appropriations of the House of Representatives
21 and the Committee on Appropriations of the Senate.

22 (e) EVALUATION AND RESEARCH CRITERIA.—

23 (1) INDEPENDENT EVALUATIONS AND RE-
24 SEARCH.—Evaluations and research studies con-
25 ducted pursuant to this section shall be independent

1 in nature, and shall employ rigorous and scientif-
2 ically recognized standards and methodologies.

3 (2) CONTENT OF EVALUATIONS.—Evaluations
4 conducted pursuant to this section may include com-
5 parison between youth participating in the programs
6 and the community at large of rates of—

7 (A) delinquency, youth crime, youth gang
8 activity, youth substance abuse, and other high
9 risk factors;

10 (B) risk factors in young people that con-
11 tribute to juvenile violence, including academic
12 failure, excessive school absenteeism, and drop-
13 ping out of school;

14 (C) risk factors in the community, schools,
15 and family environments that contribute to
16 youth violence; and

17 (D) criminal victimizations of youth.

18 (f) SENSE OF THE SENATE REGARDING FUNDING
19 FOR PROGRAMS DETERMINED TO BE INEFFECTIVE.—It
20 is the sense of the Senate that programs identified in the
21 study performed pursuant to this section as being ineffec-
22 tive in addressing juvenile crime and substance abuse
23 should not receive Federal funding in any fiscal year fol-
24 lowing the issuance of such study.

1 (g) FUNDING.—There are authorized to be appro-
2 priated to carry out the study under subsection (a)
3 \$1,000,000.

4 **SEC. 310. REPORT ON DRUG-TESTING TECHNOLOGIES.**

5 (a) REQUIREMENT.—The National Institute on
6 Standards and Technology shall conduct a study of drug-
7 testing technologies in order to identify and assess the effi-
8 cacy, accuracy, and usefulness for purposes of the Na-
9 tional effort to detect the use of illicit drugs of any drug-
10 testing technologies (including the testing of hair) that
11 may be used as alternatives or complements to urinalysis
12 as a means of detecting the use of such drugs.

13 (b) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Institute shall submit
15 to Congress a report on the results of the study conducted
16 under subsection (a).

17 **SEC. 311. USE OF NATIONAL INSTITUTES OF HEALTH SUB-**
18 **STANCE ABUSE RESEARCH.**

19 (a) NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
20 ALCOHOLISM.—Section 464H of the Public Health Serv-
21 ice Act (42 U.S.C. 285n) is amended—

22 (1) by redesignating subsection (d) as sub-
23 section (e); and

24 (2) by inserting after subsection (c) the fol-
25 lowing:

1 “(d) REQUIREMENT TO ENSURE THAT RESEARCH
2 AIDS PRACTITIONERS.—The Director, in conjunction with
3 the Director of the National Institute on Drug Abuse and
4 the Director of the Center for Substance Abuse Treat-
5 ment, shall—

6 “(1) ensure that the results of all current alco-
7 hol research that is set aside for services (and other
8 appropriate research with practical consequences) is
9 widely disseminated to treatment practitioners in an
10 easily understandable format;

11 “(2) ensure that such research results are dis-
12 seminated in a manner that provides easily under-
13 standable steps for the implementation of best prac-
14 tices based on the research; and

15 “(3) make technical assistance available to the
16 Center for Substance Abuse Treatment to assist al-
17 cohool and drug treatment practitioners to make per-
18 manent changes in treatment activities through the
19 use of successful treatment models.”.

20 (b) NATIONAL INSTITUTE ON DRUG ABUSE.—Sec-
21 tion 464L of the Public Health Service Act (42 U.S.C.
22 285o) is amended—

23 (1) by redesignating subsection (d) as sub-
24 section (e); and

1 (2) by inserting after subsection (c) the fol-
2 lowing:

3 “(d) REQUIREMENT TO ENSURE THAT RESEARCH
4 AIDS PRACTITIONERS.—The Director, in conjunction with
5 the Director of the National Institute on Alcohol Abuse
6 and Alcoholism and the Director of the Center for Sub-
7 stance Abuse Treatment, shall—

8 “(1) ensure that the results of all current drug
9 abuse research that is set aside for services (and
10 other appropriate research with practical con-
11 sequences) is widely disseminated to treatment prac-
12 titioners in an easily understandable format;

13 “(2) ensure that such research results are dis-
14 seminated in a manner that provides easily under-
15 standable steps for the implementation of best prac-
16 tices based on the research; and

17 “(3) make technical assistance available to the
18 Center for Substance Abuse Treatment to assist al-
19 cohol and drug treatment practitioners to make per-
20 manent changes in treatment activities through the
21 use of successful treatment models.”.

1 **TITLE IV—SCHOOL SAFETY AND**
2 **CHARACTER EDUCATION**
3 **Subtitle A—School Safety**

4 **SEC. 401. ALTERNATIVE EDUCATION.**

5 Part D of title I of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 6421 et seq.) is amend-
7 ed by adding at the end the following:

8 **“Subpart 4—Alternative Education Demonstration**
9 **Project Grants**

10 **“SEC. 1441. PROGRAM AUTHORITY.**

11 “(a) GRANTS.—

12 “(1) IN GENERAL.—From amounts appro-
13 priated under section 1443, the Secretary, in con-
14 sultation with the Administrator, shall make grants
15 to State educational agencies or local educational
16 agencies for not less than 10 demonstration projects
17 that enable the agencies to develop models for and
18 carry out alternative education for at-risk youth.

19 “(2) CONSTRUCTION.—Nothing in this subpart
20 shall be construed to affect the requirements of the
21 Individuals with Disabilities Education Act.

22 “(b) DEMONSTRATION PROJECTS.—

23 “(1) PARTNERSHIPS.—Each agency receiving a
24 grant under this subpart may enter into a partner-

1 ship with a private sector entity to provide alter-
2 native educational services to at-risk youth.

3 “(2) REQUIREMENTS.—Each demonstration
4 project assisted under this subpart shall—

5 “(A) accept for alternative education at-
6 risk or delinquent youth who are referred by a
7 local school or by a court with a juvenile delin-
8 quency docket and who—

9 “(i) have demonstrated a pattern of
10 serious and persistent behavior problems in
11 regular schools;

12 “(ii) are at risk of dropping out of
13 school;

14 “(iii) have been convicted of a crimi-
15 nal offense or adjudicated delinquent for
16 an act of juvenile delinquency, and are
17 under a court’s supervision; or

18 “(iv) have demonstrated that contin-
19 ued enrollment in a regular classroom—

20 “(I) poses a physical threat to
21 other students; or

22 “(II) inhibits an atmosphere con-
23 ducive to learning; and

1 “(B) provide for accelerated learning, in a
2 safe, secure, and disciplined environment,
3 including—

4 “(i) basic curriculum focused on mas-
5 tery of essential skills, including targeted
6 instruction in basic skills required for sec-
7 ondary school graduation; and

8 “(ii) emphasis on—

9 “(I) personal, academic, social,
10 and workplace skills; and

11 “(II) behavior modification.

12 “(c) APPLICABILITY.—Except as provided in sub-
13 sections (c) and (e) of section 1442, the provisions of sec-
14 tion 1401(c), 1402, and 1431, and subparts 1 and 2, shall
15 not apply to this subpart.

16 “(d) DEFINITION OF ADMINISTRATOR.—In this sub-
17 part, the term ‘Administrator’ means the Administrator
18 of the Office of Juvenile Crime Control and Prevention
19 of the Department of Justice.

20 **“SEC. 1442. APPLICATIONS; GRANTEE SELECTION.**

21 “(a) APPLICATIONS.—Each State educational agency
22 and local educational agency seeking a grant under this
23 subpart shall submit an application in such form, and con-
24 taining such information, as the Secretary, in consultation
25 with the Administrator, may reasonably require.

1 “(b) SELECTION OF GRANTEES.—

2 “(1) IN GENERAL.—The Secretary shall select
3 State educational agencies and local educational
4 agencies to receive grants under this subpart on an
5 equitable geographic basis, including selecting agen-
6 cies that serve urban, suburban, and rural popu-
7 lations.

8 “(2) MINIMUM.—The Secretary shall award a
9 grant under this subpart to not less than 1 agency
10 serving a population with a significant percentage of
11 Native Americans.

12 “(3) PRIORITY.—In awarding grants under this
13 subpart, the Secretary may give priority to State
14 educational agencies and local educational agencies
15 that demonstrate in the application submitted under
16 subsection (a) that the State has a policy of equi-
17 tably distributing resources among school districts in
18 the State.

19 “(c) QUALIFICATIONS.—To qualify for a grant under
20 this subpart, a State educational agency or local edu-
21 cational agency shall—

22 “(1) in the case of a State educational agency,
23 have submitted a State plan under section 1414(a)
24 that is approved by the Secretary;

1 “(2) in the case of a local educational agency,
2 have submitted an application under section 1423
3 that is approved by the State educational agency;

4 “(3) certify that the agency will comply with
5 the restrictions of section 292 of the Juvenile Jus-
6 tice and Delinquency Prevention Act of 1974;

7 “(4) explain the educational and juvenile justice
8 needs of the community to be addressed by the dem-
9 onstration project;

10 “(5) provide a detailed plan to implement the
11 demonstration project; and

12 “(6) provide assurances and an explanation of
13 the agency’s ability to continue the program funded
14 by the demonstration project after the termination
15 of Federal funding under this subpart.

16 “(d) MATCHING REQUIREMENT.—

17 “(1) IN GENERAL.—Grant funds provided
18 under this subpart shall not constitute more than 35
19 percent of the cost of the demonstration project
20 funded.

21 “(2) SOURCE OF FUNDS.—Matching funds for
22 grants under this subpart may be derived from
23 amounts available under section 205, or part B of
24 title II, of the Juvenile Justice and Delinquency Pre-
25 vention Act of 1974 (42 U.S.C. 5611 et seq.) to the

1 State in which the demonstration project will be car-
2 ried out, except that the total share of funds derived
3 from Federal sources shall not exceed 50 percent of
4 the cost of the demonstration project.

5 “(e) PROGRAM EVALUATION.—

6 “(1) IN GENERAL.—Each State educational
7 agency or local educational agency that receives a
8 grant under this subpart shall evaluate the dem-
9 onstration project assisted under this subpart in the
10 same manner as programs are evaluated under sec-
11 tion 1431. In addition, the evaluation shall include—

12 “(A) an evaluation of the effect of the al-
13 ternative education project on order, discipline,
14 and an effective learning environment in reg-
15 ular classrooms;

16 “(B) an evaluation of the project’s effec-
17 tiveness in improving the skills and abilities of
18 at-risk students assigned to alternative edu-
19 cation, including an analysis of the academic
20 and social progress of such students; and

21 “(C) an evaluation of the project’s effec-
22 tiveness in reducing juvenile crime and delin-
23 quency, including—

24 “(i) reductions in incidents of campus
25 crime in relevant school districts, compared

1 with school districts not included in the
2 project; and

3 “(ii) reductions in recidivism by at-
4 risk students who have juvenile justice sys-
5 tem involvement and are assigned to alter-
6 native education.

7 “(2) EVALUATION BY THE SECRETARY.—The
8 Secretary, in cooperation with the Administrator,
9 shall comparatively evaluate each of the demonstra-
10 tion projects funded under this subpart, including an
11 evaluation of the effectiveness of private sector edu-
12 cational services, and shall report the findings of the
13 evaluation to the Committee on Education and the
14 Workforce of the House of Representatives and the
15 Committees on the Judiciary and Health, Education,
16 Labor and Pensions of the Senate not later than
17 June 30, 2007.

18 **“SEC. 1443. AUTHORIZATION OF APPROPRIATIONS.**

19 “There are authorized to be appropriated to carry out
20 this subpart \$15,000,000 for each of fiscal years 2002,
21 2003, and 2004.”.

22 **SEC. 402. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.**

23 Part F of title XIV of the Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. 8921 et seq.) is amend-
25 ed by adding at the end the following:

1 **“SEC. 14604. TRANSFER OF SCHOOL DISCIPLINARY**
2 **RECORDS.**

3 “(a) NONAPPLICATION OF PROVISIONS.—The provi-
4 sions of this section shall not apply to any disciplinary
5 records transferred from a private, parochial, or other
6 nonpublic school, person, institution, or other entity, that
7 provides education below the college level.

8 “(b) DISCIPLINARY RECORDS.—Not later than 2
9 years after the date of enactment of the Drug Abuse Edu-
10 cation, Prevention, and Treatment Act of 2001, each
11 State receiving Federal funds under this Act shall provide
12 an assurance to the Secretary that the State has a proce-
13 dure in place to facilitate the transfer of disciplinary
14 records by local educational agencies to any private or
15 public elementary school or secondary school for any stu-
16 dent who is enrolled or seeks, intends, or is instructed to
17 enroll, full-time or part-time, in the school.”.

18 **SEC. 403. DRUG TESTS AND LOCKER INSPECTIONS.**

19 (a) SHORT TITLE.—This section may be cited as the
20 “School Violence Prevention Act”.

21 (b) AMENDMENT.—Section 4116(b) of the Elemen-
22 tary and Secondary Education Act of 1965 (20 U.S.C.
23 7116(b)) is amended—

24 (1) in paragraph (9), by striking “and” after
25 the semicolon;

1 (2) by redesignating paragraph (10) as para-
2 graph (11); and

3 (3) by inserting after paragraph (9) the fol-
4 lowing:

5 “(10) consistent with the fourth amendment to
6 the Constitution of the United States, testing a stu-
7 dent for illegal drug use or inspecting a student’s
8 locker for guns, explosives, other weapons, or illegal
9 drugs, including at the request of or with the con-
10 sent of a parent or legal guardian of the student, if
11 the local educational agency elects to so test or in-
12 spect; and”.

13 **Subtitle B—Character Education**

14 **CHAPTER 1—NATIONAL CHARACTER**

15 **ACHIEVEMENT AWARD**

16 **SEC. 411. NATIONAL CHARACTER ACHIEVEMENT AWARD.**

17 (a) PRESENTATION AUTHORIZED.—The President is
18 authorized to award to individuals under the age of 18,
19 on behalf of the Congress, a National Character Achieve-
20 ment Award, consisting of a medal of appropriate design,
21 with ribbons and appurtenances, honoring those individ-
22 uals for distinguishing themselves as a model of good char-
23 acter.

24 (b) DESIGN AND STRIKING.—For the purposes of the
25 award referred to in subsection (a), the Secretary of the

1 Treasury shall design and strike a medal with suitable em-
2 blems, devices, and inscriptions, to be determined by such
3 Secretary.

4 (c) ELIGIBILITY.—

5 (1) IN GENERAL.—The President pro tempore
6 of the Senate and the Speaker of the House of Rep-
7 resentatives shall establish procedures for the proc-
8 essing of recommendations to be forwarded to the
9 President for awarding National Character Achieve-
10 ment Awards under subsection (a).

11 (2) RECOMMENDATIONS BY SCHOOL PRIN-
12 CIPALS.—At a minimum, the recommendations re-
13 ferred to in paragraph (1) shall contain the endorse-
14 ment of the principal (or equivalent official) of the
15 school in which the individual under the age of 18
16 is enrolled.

17 **CHAPTER 2—PREVENTING JUVENILE DELIN-**
18 **QUENCY THROUGH CHARACTER EDUCATION**

19 **SEC. 421. PURPOSE.**

20 The purpose of this chapter is to support the work
21 of community-based organizations, local educational agen-
22 cies, and schools in providing children and youth with al-
23 ternatives to delinquency through strong after school pro-
24 grams that—

25 (1) are organized around character education;

1 (2) reduce delinquency, school discipline prob-
2 lems, and truancy; and

3 (3) improve student achievement, overall school
4 performance, and youths' positive involvement in
5 their community.

6 **SEC. 422. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There are authorized to be appro-
8 priated to carry out the after school programs under this
9 chapter, \$100,000,000 for fiscal year 2002, and such
10 sums as may be necessary for each of the 2 succeeding
11 fiscal years.

12 (b) SOURCE OF FUNDING.—Amounts authorized to
13 be appropriated pursuant to this section may be derived
14 from the Violent Crime Reduction Trust Fund.

15 **SEC. 423. AFTER SCHOOL PROGRAMS.**

16 (a) IN GENERAL.—The Secretary, in consultation
17 with the Attorney General, is authorized to award grants
18 to community-based organizations to enable the organiza-
19 tions to provide youth with alternative activities, in the
20 after school or out of school hours, that include a strong
21 character education component.

22 (b) ELIGIBLE COMMUNITY-BASED ORGANIZA-
23 TIONS.—The Secretary shall only award a grant under
24 this section to a community-based organization that has
25 a demonstrated capacity to provide after school or out of

1 school programs to youth, including youth serving organi-
2 zations, businesses, and other community groups.

3 (c) APPLICATIONS.—Each community-based organi-
4 zation desiring a grant under this section shall submit an
5 application to the Secretary at such time and in such man-
6 ner as the Secretary may require. Each application shall
7 include—

8 (1) a description of the community to be served
9 and the needs that will be met through the program
10 in that community;

11 (2) a description of how the program will iden-
12 tify and recruit at-risk youth for participation in the
13 program, and how the program will provide con-
14 tinuing support for the participation of such youth;

15 (3) a description of the activities to be assisted
16 under the grant, including—

17 (A) how parents, students, and other mem-
18 bers of the community will be involved in the
19 design and implementation of the program;

20 (B) how character education will be incor-
21 porated into the program; and

22 (C) how the program will coordinate activi-
23 ties assisted under this section with activities of
24 schools and other community-based organiza-
25 tions;

- 1 (4) a description of the goals of the program;
2 (5) a description of how progress toward achiev-
3 ing such goals, and toward meeting the purposes of
4 this chapter, will be measured; and
5 (6) an assurance that the community-based or-
6 ganization will provide the Secretary with informa-
7 tion regarding the program and the effectiveness of
8 the program.

9 **SEC. 424. GENERAL PROVISIONS.**

10 (a) DURATION.—Each grant under this chapter shall
11 be awarded for a period of not to exceed 5 years.

12 (b) PLANNING.—A community-based organization
13 may use grant funds provided under this chapter for not
14 more than 1 year for the planning and design of the pro-
15 gram to be assisted.

16 (c) SELECTION OF GRANTEES.—

17 (1) CRITERIA.—The Secretary, in consultation
18 with the Attorney General, shall select, through a
19 peer review process, community-based organizations
20 to receive grants under this chapter on the basis of
21 the quality of the applications submitted and taking
22 into consideration such factors as—

23 (A) the quality of the activities to be as-
24 sisted;

1 (B) the extent to which the program fos-
2 ters in youth the elements of character and
3 reaches youth at-risk of delinquency;

4 (C) the quality of the plan for measuring
5 and assessing the success of the program;

6 (D) the likelihood the goals of the program
7 will be realistically achieved;

8 (E) the experience of the applicant in pro-
9 viding similar services; and

10 (F) the coordination of the program with
11 larger community efforts in character edu-
12 cation.

13 (2) DIVERSITY OF PROJECTS.—The Secretary
14 shall approve applications under this chapter in a
15 manner that ensures, to the extent practicable, that
16 programs assisted under this chapter serve different
17 areas of the United States, including urban, subur-
18 ban and rural areas, and serve at-risk populations.

19 (d) USE OF FUNDS.—Grant funds under this chapter
20 shall be used to support the work of community-based or-
21 ganizations, schools, or local educational agencies in pro-
22 viding children and youth with alternatives to delinquency
23 through strong after school, or out of school programs
24 that—

25 (1) are organized around character education;

1 (2) reduce delinquency, school discipline prob-
2 lems, and truancy; and

3 (3) improve student achievement, overall school
4 performance, and youths' positive involvement in
5 their community.

6 (d) DEFINITIONS.—In this chapter:

7 (1) IN GENERAL.—The terms used shall have
8 the meanings given such terms in section 14101 of
9 the Elementary and Secondary Education Act of
10 1965 (20 U.S.C. 8801).

11 (2) CHARACTER EDUCATION.—The term “char-
12 acter education” means an organized educational
13 program that works to reinforce core elements of
14 character, including caring, civic virtue and citizen-
15 ship, justice and fairness, respect, responsibility, and
16 trustworthiness.

17 (3) SECRETARY.—The term “Secretary” means
18 the Secretary of Health and Human Services.

19 **CHAPTER 3—COUNSELING, TRAINING, AND**
20 **MENTORING CHILDREN OF PRISONERS**

21 **SEC. 431. PURPOSE.**

22 The purpose of this chapter is to support the work
23 of community-based organizations in providing counseling,
24 training, and mentoring services to America's most at-risk
25 children and youth in low-income and high-crime commu-

1 nities who have a parent or legal guardian that is incarcer-
2 ated in a Federal, State, or local correctional facility.

3 **SEC. 432. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-
5 priated to carry out programs under this chapter,
6 \$25,000,000 for fiscal year 2002, and such sums as may
7 be necessary for each of the 2 succeeding fiscal years.

8 (b) SOURCE OF FUNDING.—Amounts authorized to
9 be appropriated pursuant to this section may be derived
10 from the Violent Crime Reduction Trust Fund.

11 **SEC. 433. COUNSELING, TRAINING, AND MENTORING PRO-**
12 **GRAMS.**

13 (a) IN GENERAL.—The Attorney General shall award
14 grants to community-based organizations to enable the or-
15 ganizations to provide youth who have a parent or legal
16 guardian incarcerated in a Federal, State, or local correc-
17 tional facility with counseling, training, and mentoring
18 services in low-income and high-crime communities that
19 include—

20 (1) counseling, including drug prevention coun-
21 seling;

22 (2) academic tutoring, including online com-
23 puter academic programs that focus on the develop-
24 ment and reinforcement of basic skills;

1 (3) technology training, including computer
2 skills;

3 (4) job skills and vocational training; and

4 (5) confidence building mentoring services.

5 (b) ELIGIBLE COMMUNITY-BASED ORGANIZA-
6 TIONS.—The Attorney General shall only award a grant
7 under this section to a community-based organization that
8 has a demonstrated capacity to provide after school or out
9 of school programs to youth, including youth serving orga-
10 nizations, businesses, and other community groups.

11 (c) APPLICATIONS.—Each community-based organi-
12 zation desiring a grant under this section shall submit an
13 application to the Attorney General at such time and in
14 such manner as the Attorney General may require. Each
15 application shall include—

16 (1) a description of the community to be served
17 and the needs that will be met through the program
18 in that community;

19 (2) a description of how the program will iden-
20 tify and recruit youth who have a parent or legal
21 guardian that is incarcerated in a Federal, State, or
22 local correctional facility for participation in the pro-
23 gram, and how the program will provide continuing
24 support for the participation of such youth;

1 (3) a description of the activities to be assisted
2 under the grant, including—

3 (A) how parents, residents, and other
4 members of the community will be involved in
5 the design and implementation of the program;
6 and

7 (B) how counseling, training, and men-
8 toring services will be incorporated into the pro-
9 gram;

10 (4) a description of the goals of the program;

11 (5) a description of how progress toward achiev-
12 ing such goals, and toward meeting the purposes of
13 this chapter, will be measured; and

14 (6) an assurance that the community-based or-
15 ganization will provide the Attorney General with in-
16 formation regarding the program and the effective-
17 ness of the program.

18 **SEC. 434. GENERAL PROVISIONS.**

19 (a) DURATION.—Each grant under this chapter shall
20 be awarded for a period of not to exceed 5 years.

21 (b) PLANNING.—A community-based organization
22 may use grant funds provided under this chapter for not
23 more than 1 year for the planning and design of the pro-
24 gram to be assisted.

25 (c) SELECTION OF GRANTEES.—

1 (1) CRITERIA.—The Attorney General shall se-
2 lect, through a peer review process, community-
3 based organizations to receive grants under this
4 chapter on the basis of the quality of the applica-
5 tions submitted and taking into consideration such
6 factors as—

7 (A) the quality of the activities to be as-
8 sisted;

9 (B) the extent to which the program fos-
10 ters positive youth development and encourages
11 meaningful and rewarding lifestyles;

12 (C) the likelihood the goals of the program
13 will be realistically achieved;

14 (D) the experience of the applicant in pro-
15 viding similar services; and

16 (E) the coordination of the program with
17 larger community efforts.

18 (2) DIVERSITY OF PROJECTS.—The Secretary
19 shall approve applications under this chapter in a
20 manner that ensures, to the extent practicable, that
21 programs assisted under this chapter serve different
22 low-income and high-crime communities of the
23 United States.

24 (d) USE OF FUNDS.—Grant funds under this chapter
25 shall be used to support the work of community-based or-

1 ganizations in providing children of incarcerated parents
2 or legal guardians with alternatives to delinquency
3 through strong after school, or out of school programs
4 that—

5 (1) are organized around counseling, training,
6 and mentoring;

7 (2) reduce delinquency, school discipline prob-
8 lems, and truancy; and

9 (3) improve student achievement, overall school
10 performance, and youths' positive involvement in
11 their community.

12 **TITLE V—REESTABLISHMENT OF** 13 **DRUG COURTS**

14 **SEC. 501. REESTABLISHMENT OF DRUG COURTS.**

15 (a) DRUG COURTS.—Title I of the Omnibus Crime
16 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
17 et seq.) is amended by inserting after part DD the fol-
18 lowing new part:

19 **“PART EE—DRUG COURTS**

20 **“SEC. 2951. GRANT AUTHORITY.**

21 “(a) IN GENERAL.—The Attorney General may make
22 grants to States, State courts, local courts, units of local
23 government, and Indian tribal governments, acting di-
24 rectly or through agreements with other public or private
25 entities, for programs that involve—

1 “(1) continuing judicial supervision over offend-
2 ers with substance abuse problems who are not vio-
3 lent offenders; and

4 “(2) the integrated administration of other
5 sanctions and services, which shall include—

6 “(A) mandatory periodic testing for the
7 use of controlled substances or other addictive
8 substances during any period of supervised re-
9 lease or probation for each participant;

10 “(B) substance abuse treatment for each
11 participant;

12 “(C) diversion, probation, or other super-
13 vised release involving the possibility of prosecu-
14 tion, confinement, or incarceration based on
15 noncompliance with program requirements or
16 failure to show satisfactory progress;

17 “(D) offender management, and aftercare
18 services such as relapse prevention, health care,
19 education, vocational training, job placement,
20 housing placement, and child care or other fam-
21 ily support services for each participant who re-
22 quires such services;

23 “(E) payment, in whole or part, by the of-
24 fender of treatment costs, to the extent prac-

1 ticable, such as costs for urinalysis or coun-
2 seling; and

3 “(F) payment, in whole or part, by the of-
4 fender of restitution, to the extent practicable,
5 to either a victim of the offender’s offense or to
6 a restitution or similar victim support fund.

7 “(b) LIMITATION.—Economic sanctions imposed on
8 an offender pursuant to this section shall not be at a level
9 that would interfere with the offender’s rehabilitation.

10 **“SEC. 2952. PROHIBITION OF PARTICIPATION BY VIOLENT**
11 **OFFENDERS.**

12 “The Attorney General shall—

13 “(1) issue regulations or guidelines to ensure
14 that the programs authorized in this part do not
15 permit participation by violent offenders; and

16 “(2) immediately suspend funding for any grant
17 under this part, pending compliance, if the Attorney
18 General finds that violent offenders are participating
19 in any program funded under this part.

20 **“SEC. 2953. DEFINITION.**

21 “In this part, the term ‘violent offender’ means a per-
22 son who—

23 “(1) is charged with or convicted of an offense,
24 during the course of which offense or conduct—

1 “(A) the person carried, possessed, or used
2 a firearm or dangerous weapon;

3 “(B) there occurred the death of or serious
4 bodily injury to any person; or

5 “(C) there occurred the use of force
6 against the person of another, without regard to
7 whether any of the circumstances described in
8 subparagraph (A) or (B) is an element of the
9 offense or conduct of which or for which the
10 person is charged or convicted; or

11 “(2) has 1 or more prior convictions for a fel-
12 ony crime of violence involving the use or attempted
13 use of force against a person with the intent to
14 cause death or serious bodily harm.

15 **“SEC. 2954. ADMINISTRATION.**

16 “(a) CONSULTATION.—The Attorney General shall
17 consult with the Secretary of Health and Human Services
18 and any other appropriate officials in carrying out this
19 part.

20 “(b) USE OF COMPONENTS.—The Attorney General
21 may utilize any component or components of the Depart-
22 ment of Justice in carrying out this part.

23 “(c) REGULATORY AUTHORITY.—The Attorney Gen-
24 eral may issue regulations and guidelines necessary to
25 carry out this part.

1 “(d) APPLICATIONS.—In addition to any other re-
2 quirements that may be specified by the Attorney General,
3 an application for a grant under this part shall—

4 “(1) include a long-term strategy and detailed
5 implementation plan;

6 “(2) explain the applicant’s inability to fund the
7 program adequately without Federal assistance;

8 “(3) certify that the Federal support provided
9 will be used to supplement, and not supplant, State,
10 Indian tribal, and local sources of funding that
11 would otherwise be available;

12 “(4) identify related governmental or commu-
13 nity initiatives which complement or will be coordi-
14 nated with the proposal;

15 “(5) certify that there has been appropriate
16 consultation with all affected agencies and that there
17 will be appropriate coordination with all affected
18 agencies in the implementation of the program;

19 “(6) certify that participating offenders will be
20 supervised by 1 or more designated judges with re-
21 sponsibility for the drug court program;

22 “(7) specify plans for obtaining necessary sup-
23 port and continuing the proposed program following
24 the conclusion of Federal support; and

1 “(8) describe the methodology that will be used
2 in evaluating the program.

3 **“SEC. 2955. APPLICATIONS.**

4 “To request funds under this part, the chief executive
5 or the chief justice of a State or the chief executive or
6 chief judge of a unit of local government or Indian tribal
7 government, or the chief judge of a State or local court
8 or Indian tribal court shall submit an application to the
9 Attorney General in such form and containing such infor-
10 mation as the Attorney General may reasonably require.

11 **“SEC. 2956. FEDERAL SHARE.**

12 “(a) IN GENERAL.—The Federal share of a grant
13 made under this part may not exceed 75 percent of the
14 total costs of the program described in the application sub-
15 mitted under section 2955 for the fiscal year for which
16 the program receives assistance under this part, unless the
17 Attorney General waives, wholly or in part, the require-
18 ment of a matching contribution under this section.

19 “(b) IN-KIND CONTRIBUTIONS.—In-kind contribu-
20 tions may constitute a portion of the non-Federal share
21 of a grant.

22 **“SEC. 2957. DISTRIBUTION AND ALLOCATION.**

23 “(a) GEOGRAPHIC DISTRIBUTION.—The Attorney
24 General shall ensure that, to the extent practicable, an eq-
25 uitable geographic distribution of grant awards is made.

1 “(b) MINIMUM ALLOCATION.—Unless all eligible ap-
2 plications submitted by any State or unit of local govern-
3 ment within such State for a grant under this part have
4 been funded, such State, together with grantees within the
5 State (other than Indian tribes), shall be allocated in each
6 fiscal year under this part not less than 0.75 percent of
7 the total amount appropriated in the fiscal year for grants
8 pursuant to this part.

9 **“SEC. 2958. REPORT.**

10 “A State, Indian tribal government, or unit of local
11 government that receives funds under this part during a
12 fiscal year shall submit to the Attorney General a report
13 in March of the following year regarding the effectiveness
14 of this part.

15 **“SEC. 2959. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
16 **UATION.**

17 “(a) TECHNICAL ASSISTANCE AND TRAINING.—The
18 Attorney General may provide technical assistance and
19 training in furtherance of the purposes of this part.

20 “(b) EVALUATIONS.—In addition to any evaluation
21 requirements that may be prescribed for grantees, the At-
22 torney General may carry out or make arrangements for
23 evaluations of programs that receive support under this
24 part.

1 “(c) ADMINISTRATION.—The technical assistance,
2 training, and evaluations authorized by this section may
3 be carried out directly by the Attorney General, in collabo-
4 ration with the Secretary of Health and Human Services,
5 or through grants, contracts, or other cooperative arrange-
6 ments with other entities.”.

7 (b) TECHNICAL AMENDMENT.—The table of contents
8 of title I of the Omnibus Crime Control and Safe Streets
9 Act of 1968 (42 U.S.C. 3711 et seq.) is amended by in-
10 serting after the matter relating to part DD the following:

“PART EE—DRUG COURTS

“Sec. 2951. Grant authority.

“Sec. 2952. Prohibition of participation by violent offenders.

“Sec. 2953. Definition.

“Sec. 2954. Administration.

“Sec. 2955. Applications.

“Sec. 2956. Federal share.

“Sec. 2957. Distribution and allocation.

“Sec. 2958. Report.

“Sec. 2959. Technical assistance, training, and evaluation.”.

11 **SEC. 502. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 1001(a) of title I of the Omnibus Crime Con-
13 trol and Safe Streets Act of 1968 (42 U.S.C. 3793) is
14 amended—

15 (1) in paragraph (3), by inserting before the pe-
16 riod at the end the following: “or EE”; and

17 (2) by adding at the end the following new
18 paragraph:

19 “(20)(A) There are authorized to be appro-
20 priated for fiscal year 2002 the sum of \$50,000,000

1 and for fiscal years 2003 and 2004 such sums as
2 may be necessary to carry out part EE.

3 “(B) The Attorney General shall reserve not
4 less than 1 percent and not more than 3 percent of
5 the sums appropriated for this program in each fis-
6 cal year for research and evaluation of this pro-
7 gram.”.

8 **TITLE VI—PROGRAM FOR SUC-**
9 **CESSFUL REENTRY OF CRIMI-**
10 **NAL OFFENDERS INTO LOCAL**
11 **COMMUNITIES**

12 **SEC. 601. SHORT TITLE.**

13 This title may be cited as the “Offender Reentry and
14 Community Safety Act of 2001”.

15 **SEC. 602. PURPOSES.**

16 The purposes of this title are to—

17 (1) establish demonstration projects in several
18 Federal judicial districts, the District of Columbia,
19 and in the Federal Bureau of Prisons, using new
20 strategies and emerging technologies that alleviate
21 the public safety risk posed by released prisoners by
22 promoting their successful reintegration into the
23 community;

1 (2) establish court-based programs to monitor
2 the return of offenders into communities, using
3 court sanctions to promote positive behavior;

4 (3) establish offender reentry demonstration
5 projects in the states using government and commu-
6 nity partnerships to coordinate cost efficient strate-
7 gies that ensure public safety and enhance the suc-
8 cessful reentry into communities of offenders who
9 have completed their prison sentences;

10 (4) establish intensive aftercare demonstration
11 projects that address public safety and ensure the
12 special reentry needs of juvenile offenders by coordi-
13 nating the resources of juvenile correctional agen-
14 cies, juvenile courts, juvenile parole agencies, law en-
15 forcement agencies, social service providers, and
16 local Workforce Investment Boards; and

17 (5) rigorously evaluate these reentry programs
18 to determine their effectiveness in reducing recidi-
19 vism and promoting successful offender reintegra-
20 tion.

21 **Subtitle A—Federal Reentry**
22 **Demonstration Projects**

23 **SEC. 611. FEDERAL REENTRY CENTER DEMONSTRATION.**

24 (a) AUTHORITY AND ESTABLISHMENT OF DEM-
25 ONSTRATION PROJECT.—From funds made available to

1 carry out this subtitle, the Attorney General, in consulta-
2 tion with the Director of the Administrative Office of the
3 United States Courts, shall establish the Federal Reentry
4 Center Demonstration project. The project shall involve
5 appropriate prisoners from the Federal prison population
6 and shall utilize community corrections facilities, home
7 confinement, and a coordinated response by Federal agen-
8 cies to assist participating prisoners, under close moni-
9 toring and more seamless supervision, in preparing for
10 and adjusting to reentry into the community.

11 (b) PROJECT ELEMENTS.—The project authorized by
12 subsection (a) shall include—

13 (1) a Reentry Review Team for each prisoner,
14 consisting of representatives from the Bureau of
15 Prisons, the United States Probation System, and
16 the relevant community corrections facility, who
17 shall initially meet with the prisoner to develop a re-
18 entry plan tailored to the needs of the prisoner and
19 incorporating victim impact information, and will
20 thereafter meet regularly to monitor the prisoner's
21 progress toward reentry and coordinate access to ap-
22 propriate reentry measures and resources;

23 (2) regular drug testing, as appropriate;

24 (3) a system of graduated levels of supervision
25 within the community corrections facility to promote

1 community safety, provide incentives for prisoners to
2 complete the reentry plan, including victim restitu-
3 tion, and provide a reasonable method for imposing
4 immediate sanctions for a prisoner's minor or tech-
5 nical violation of the conditions of participation in
6 the project;

7 (4) substance abuse treatment and aftercare,
8 mental and medical health treatment and aftercare,
9 vocational and basic educational training, and other
10 programming to promote effective reintegration into
11 the community as needed;

12 (5) to the extent practicable, the recruitment
13 and utilization of local citizen volunteers, including
14 volunteers from the faith-based and business com-
15 munities, to serve as advisers and mentors to pris-
16 oners being released into the community;

17 (6) a description of the methodology and out-
18 come measures that will be used to evaluate the pro-
19 gram; and

20 (7) notification to victims on the status and na-
21 ture of offenders' reentry plan.

22 (c) PROBATION OFFICERS.—From funds made avail-
23 able to carry out this Act, the Director of the Administra-
24 tive Office of the United States Courts shall assign one
25 or more probation officers from each participating judicial

1 district to the Reentry Demonstration project. Such offi-
2 cers shall be assigned to and stationed at the community
3 corrections facility and shall serve on the Reentry Review
4 Teams.

5 (d) PROJECT DURATION.—The Reentry Center Dem-
6 onstration project shall begin not later than 6 months fol-
7 lowing the availability of funds to carry out this section,
8 and shall last 3 years. The Attorney General may extend
9 the project for a period of up to 6 months to enable partic-
10 ipant prisoners to complete their involvement in the
11 project.

12 (e) SELECTION OF DISTRICTS.—The Attorney Gen-
13 eral, in consultation with the Judicial Conference of the
14 United States, shall select an appropriate number of Fed-
15 eral judicial districts in which to carry out the Reentry
16 Center Demonstration project.

17 (f) COORDINATION OF PROJECTS.—The Attorney
18 General, may, if appropriate, include in the Reentry Cen-
19 ter Demonstration project offenders who participated in
20 the Enhanced In-Prison Vocational Assessment and
21 Training Demonstration project established by section 615
22 of this Act.

1 **SEC. 612. FEDERAL HIGH-RISK OFFENDER REENTRY DEM-**
2 **ONSTRATION.**

3 (a) AUTHORITY AND ESTABLISHMENT OF DEM-
4 ONSTRATION PROJECT.—From funds made available to
5 carry out this Act, the Director of the Administrative Of-
6 fice of the United States Courts, in consultation with the
7 Attorney General, shall establish the Federal High-Risk
8 Offender Reentry Demonstration project. The project
9 shall involve Federal offenders under supervised release
10 who have previously violated the terms of their release fol-
11 lowing a term of imprisonment and shall utilize, as appro-
12 priate and indicated, community corrections facilities,
13 home confinement, appropriate monitoring technologies,
14 and treatment and programming to promote more effec-
15 tive reentry into the community.

16 (b) PROJECT ELEMENTS.—The project authorized by
17 subsection (a) shall include—

18 (1) participation by Federal prisoners who have
19 previously violated the terms of their release fol-
20 lowing a term of imprisonment;

21 (2) use of community corrections facilities and
22 home confinement that, together with the technology
23 referenced in paragraph (5), will be part of a system
24 of graduated levels of supervision;

25 (3) substance abuse treatment and aftercare,
26 mental and medical health treatment and aftercare,

1 vocational and basic educational training, and other
2 programming to promote effective reintegration into
3 the community as needed;

4 (4) involvement of a victim advocate and the
5 family of the prisoner, if it is safe for the victim(s),
6 especially in domestic violence cases, to be involved;

7 (5) the use of monitoring technologies, as ap-
8 propriate and indicated, to monitor and supervise
9 participating offenders in the community;

10 (6) a description of the methodology and out-
11 come measures that will be used to evaluate the pro-
12 gram; and

13 (7) notification to victims on the status and na-
14 ture of a prisoner's reentry plan.

15 (c) MANDATORY CONDITION OF SUPERVISED RE-
16 LEASE.—In each of the judicial districts in which the dem-
17 onstration project is in effect, appropriate offenders who
18 are found to have violated a previously imposed term of
19 supervised release and who will be subject to some addi-
20 tional term of supervised release, shall be designated to
21 participate in the demonstration project. With respect to
22 these offenders, the court shall impose additional manda-
23 tory conditions of supervised release that each offender
24 shall, as directed by the probation officer, reside at a com-
25 munity corrections facility or participate in a program of

1 home confinement, or both, and submit to appropriate
2 monitoring, and otherwise participate in the project.

3 (d) PROJECT DURATION.—The Federal High-Risk
4 Offender Reentry Demonstration shall begin not later
5 than six months following the availability of funds to carry
6 out this section, and shall last 3 years. The Director of
7 the Administrative Office of the United States Courts may
8 extend the project for a period of up to six months to en-
9 able participating prisoners to complete their involvement
10 in the project.

11 (e) SELECTION OF DISTRICTS.—The Judicial Con-
12 ference of the United States, in consultation with the At-
13 torney General, shall select an appropriate number of Fed-
14 eral judicial districts in which to carry out the Federal
15 High-Risk Offender Reentry Demonstration project.

16 **SEC. 613. DISTRICT OF COLUMBIA INTENSIVE SUPER-**
17 **VISION, TRACKING, AND REENTRY TRAINING**
18 **(DC ISTART) DEMONSTRATION.**

19 (a) AUTHORITY AND ESTABLISHMENT OF DEM-
20 ONSTRATION PROJECT.—From funds made available to
21 carry out this Act, the Trustee of the Court Services and
22 Offender Supervision Agency of the District of Columbia,
23 as authorized by the National Capital Revitalization and
24 Self Government Improvement Act of 1997 (Public Law
25 105–33; 111 Stat. 712) shall establish the District of Co-

1 lumbia Intensive Supervision, Tracking and Reentry
2 Training Demonstration (DC iSTART) project. The
3 project shall involve high risk District of Columbia parol-
4 ees who would otherwise be released into the community
5 without a period of confinement in a community correc-
6 tions facility and shall utilize intensive supervision, moni-
7 toring, and programming to promote such parolees' suc-
8 cessful reentry into the community.

9 (b) PROJECT ELEMENTS.—The project authorized by
10 subsection (a) shall include—

11 (1) participation by appropriate high risk parol-
12 ees;

13 (2) use of community corrections facilities and
14 home confinement;

15 (3) a Reentry Review Team that includes a vic-
16 tim witness professional for each parolee which shall
17 meet with the parolee—by video conference or other
18 means as appropriate—before the parolee's release
19 from the custody of the Federal Bureau of Prisons
20 to develop a reentry plan that incorporates victim
21 impact information and is tailored to the needs of
22 the parolee and which will thereafter meet regularly
23 to monitor the parolee's progress toward reentry and
24 coordinate access to appropriate reentry measures
25 and resources;

1 (4) regular drug testing, as appropriate;

2 (5) a system of graduated levels of supervision
3 within the community corrections facility to promote
4 community safety, victim restitution, to the extent
5 practicable, provide incentives for prisoners to com-
6 plete the reentry plan, and provide a reasonable
7 method for immediately sanctioning a prisoner's
8 minor or technical violation of the conditions of par-
9 ticipation in the project;

10 (6) substance abuse treatment and aftercare,
11 mental and medical health treatment and aftercare,
12 vocational and basic educational training, and other
13 programming to promote effective reintegration into
14 the community as needed;

15 (7) the use of monitoring technologies, as ap-
16 propriate;

17 (8) to the extent practicable, the recruitment
18 and utilization of local citizen volunteers, including
19 volunteers from the faith-based communities, to
20 serve as advisers and mentors to prisoners being re-
21 leased into the community; and

22 (9) notification to victims on the status and na-
23 ture of a prisoner's reentry plan.

24 (c) MANDATORY CONDITION OF PAROLE.—For those
25 offenders eligible to participate in the demonstration

1 project, the United States Parole Commission shall impose
2 additional mandatory conditions of parole such that the
3 offender when on parole shall, as directed by the commu-
4 nity supervision officer, reside at a community corrections
5 facility or participate in a program of home confinement,
6 or both, submit to electronic and other remote monitoring,
7 and otherwise participate in the project.

8 (d) PROGRAM DURATION.—The District of Columbia
9 Intensive Supervision, Tracking and Reentry Training
10 Demonstration shall begin not later than 6 months fol-
11 lowing the availability of funds to carry out this section,
12 and shall last 3 years. The Trustee of the Court Services
13 and Offender Supervision Agency of the District of Colum-
14 bia may extend the project for a period of up to 6 months
15 to enable participating prisoners to complete their involve-
16 ment in the project.

17 **SEC. 614. FEDERAL INTENSIVE SUPERVISION, TRACKING,**
18 **AND REENTRY TRAINING (FED ISTART) DEM-**
19 **ONSTRATION.**

20 (a) AUTHORITY AND ESTABLISHMENT OF DEM-
21 ONSTRATION PROJECT.—From funds made available to
22 carry out this section, the Director of the Administrative
23 Office of the United States Courts shall establish the Fed-
24 eral Intensive Supervision, Tracking and Reentry Training
25 Demonstration (FED iSTART) project. The project shall

1 involve appropriate high risk Federal offenders who are
2 being released into the community without a period of con-
3 finement in a community corrections facility.

4 (b) PROJECT ELEMENTS.—The project authorized by
5 subsection (a) shall include—

6 (1) participation by appropriate high risk Fed-
7 eral offenders;

8 (2) significantly smaller caseloads for probation
9 officers participating in the demonstration project;

10 (3) substance abuse treatment and aftercare,
11 mental and medical health treatment and aftercare,
12 vocational and basic educational training, and other
13 programming to promote effective reintegration into
14 the community as needed; and

15 (4) notification to victims on the status and na-
16 ture of a prisoner's reentry plan.

17 (c) PROGRAM DURATION.—The Federal Intensive
18 Supervision, Tracking and Reentry Training Demonstra-
19 tion shall begin not later than 6 months following the
20 availability of funds to carry out this section, and shall
21 last 3 years. The Director of the Administrative Office of
22 the United States Courts may extend the project for a pe-
23 riod of up to six months to enable participating prisoners
24 to complete their involvement in the project.

1 (d) SELECTION OF DISTRICTS.—The Judicial Con-
2 ference of the United States, in consultation with the At-
3 torney General, shall select an appropriate number of Fed-
4 eral judicial districts in which to carry out the Federal
5 Intensive Supervision, Tracking and Reentry Training
6 Demonstration project.

7 **SEC. 615. FEDERAL ENHANCED IN-PRISON VOCATIONAL AS-**
8 **SESSMENT AND TRAINING AND DEMONSTRA-**
9 **TION.**

10 (a) AUTHORITY AND ESTABLISHMENT OF DEM-
11 ONSTRATION PROJECT.—From funds made available to
12 carry out this section, the Attorney General shall establish
13 the Federal Enhanced In-Prison Vocational Assessment
14 and Training Demonstration project in selected institu-
15 tions. The project shall provide in-prison assessments of
16 prisoners' vocational needs and aptitudes, enhanced work
17 skills development, enhanced release readiness program-
18 ming, and other components as appropriate to prepare
19 Federal prisoners for release and reentry into the commu-
20 nity.

21 (b) PROGRAM DURATION.—The Enhanced In-Prison
22 Vocational Assessment and Training Demonstration shall
23 begin not later than six months following the availability
24 of funds to carry out this section, and shall last 3 years.
25 The Attorney General may extend the project for a period

1 of up to 6 months to enable participating prisoners to
2 complete their involvement in the project.

3 **SEC. 616. RESEARCH AND REPORTS TO CONGRESS.**

4 (a) ATTORNEY GENERAL.—Not later than 2 years
5 after the enactment of this Act, the Attorney General shall
6 report to Congress on the progress of the demonstration
7 projects authorized by sections 611 and 615 of this Act.
8 Not later than 1 year after the end of the demonstration
9 projects authorized by sections 611 and 615 of this Act,
10 the Director of the Federal Bureau of Prisons shall report
11 to Congress on the effectiveness of the reentry projects
12 authorized by sections 611 and 615 on post-release out-
13 comes and recidivism. The report shall address post-re-
14 lease outcomes and recidivism for a period of 3 years fol-
15 lowing release from custody. The reports submitted pursu-
16 ant to this section shall be submitted to the Committees
17 on the Judiciary in the House of Representatives and the
18 Senate.

19 (b) ADMINISTRATIVE OFFICE OF THE UNITED
20 STATES COURTS.—Not later than 2 years after the enact-
21 ment of this Act, Director of the Administrative Office of
22 the United States Courts shall report to Congress on the
23 progress of the demonstration projects authorized by sec-
24 tions 612 and 614 of this Act. Not later than 180 days
25 after the end of the demonstration projects authorized by

1 sections 612 and 614 of this Act, the Director of the Ad-
2 ministrative Office of the United States Courts shall re-
3 port to Congress on the effectiveness of the reentry
4 projects authorized by sections 612 and 614 on post-re-
5 lease outcomes and recidivism. The report should address
6 post-release outcomes and recidivism for a period of 3
7 years following release from custody. The reports sub-
8 mitted pursuant to this section shall be submitted to the
9 Committees on the Judiciary in the House of Representa-
10 tives and the Senate.

11 (c) DC ISTART.—Not later than 2 years after the
12 enactment of this Act, the Executive Director of the cor-
13 poration or institute authorized by section 11281(2) of the
14 National Capital Revitalization and Self-Government Im-
15 provement Act of 1997 (Public Law 105–33; 111 Stat.
16 712) shall report to Congress on the progress of the dem-
17 onstration project authorized by section 6 of this Act. Not
18 later than 1 year after the end of the demonstration
19 project authorized by section 613 of this Act, the Execu-
20 tive Director of the corporation or institute authorized by
21 section 11281(2) of the National Capital Revitalization
22 and Self-Government Improvement Act of 1997 (Public
23 Law 105–33; 111 Stat. 712) shall report to Congress on
24 the effectiveness of the reentry project authorized by sec-
25 tion 613 on post-release outcomes and recidivism. The re-

1 port shall address post-release outcomes and recidivism for
2 a period of three years following release from custody. The
3 reports submitted pursuant to this section shall be sub-
4 mitted to the Committees on the Judiciary in the House
5 of Representatives and the Senate. In the event that the
6 corporation or institute authorized by section 11281(2) of
7 the National Capital Revitalization and Self-Government
8 Improvement Act of 1997 (Public Law 105–33; 111 Stat.
9 712) is not in operation 1 year after the enactment of
10 this Act, the Director of National Institute of Justice shall
11 prepare and submit the reports required by this section
12 and may do so from funds made available to the Court
13 Services and Offender Supervision Agency of the District
14 of Columbia, as authorized by the National Capital Revi-
15 talization and Self-Government Improvement Act of 1997
16 (Public Law 105–33; 111 Stat. 712) to carry out this Act.

17 **SEC. 617. DEFINITIONS.**

18 In this subtitle:

19 (1) the term “appropriate prisoner” means a
20 person who is considered by prison authorities—

21 (A) to pose a medium to high risk of com-
22 mitting a criminal act upon reentering the com-
23 munity, and

1 (B) to lack the skills and family support
2 network that facilitate successful reintegration
3 into the community; and

4 (2) the term “appropriate high risk parolees”
5 means parolees considered by prison authorities—

6 (A) to pose a medium to high risk of com-
7 mitting a criminal act upon reentering the com-
8 munity; and

9 (B) to lack the skills and family support
10 network that facilitate successful reintegration
11 into the community.

12 **SEC. 618. AUTHORIZATION OF APPROPRIATIONS.**

13 To carry out this subtitle, there are authorized to be
14 appropriated, to remain available until expended, the fol-
15 lowing amounts:

16 (1) To the Federal Bureau of Prisons—

17 (A) \$1,110,000 for fiscal year 2002;

18 (B) \$1,130,000 for fiscal year 2003; and

19 (C) \$1,155,000 for fiscal year 2004.

20 (2) To the Federal Judiciary—

21 (A) \$3,540,000 for fiscal year 2002;

22 (B) \$3,720,000 for fiscal year 2003; and

23 (C) \$3,910,000 for fiscal year 2004.

24 (3) To the Court Services and Offender Super-
25 vision Agency of the District of Columbia, as author-

1 ized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997 (Public Law
3 105–33; 111 Stat. 712)—

4 (A) \$4,510,000 for fiscal year 2002;

5 (B) \$4,620,000 for fiscal year 2003; and

6 (C) \$4,740,000 for fiscal year 2004.

7 **Subtitle B—State Reentry Grant**
8 **Programs**

9 **SEC. 621. AMENDMENTS TO THE OMNIBUS CRIME CONTROL**
10 **AND SAFE STREETS ACT OF 1968.**

11 (a) IN GENERAL.—Title I of the Omnibus Crime
12 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
13 et seq.), as amended, is amended by inserting after part
14 EE the following new part:

15 “PART FF—OFFENDER REENTRY AND COM-
16 MUNITY SAFETY
17 “**SEC. 2976. ADULT OFFENDER STATE AND LOCAL REENTRY**
18 **PARTNERSHIPS.**

19 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
20 eral shall make grants of up to \$1,000,000 to States, Ter-
21 ritories, and Indian tribes, in partnership with units of
22 local government and nonprofit organizations, for the pur-
23 pose of establishing adult offender reentry demonstration
24 projects. Funds may be expended by the projects for the
25 following purposes:

1 “(1) oversight/monitoring of released offenders;

2 “(2) substance abuse treatment and aftercare,
3 mental and medical health treatment and aftercare,
4 vocational and basic educational training, and other
5 programming to promote effective reintegration into
6 the community as needed;

7 “(3) convening community impact panels, vic-
8 tim impact panels or victim impact educational
9 classes; and

10 “(4) establishing and implementing graduated
11 sanctions and incentives.

12 “(b) SUBMISSION OF APPLICATION.—In addition to
13 any other requirements that may be specified by the Attor-
14 ney General, an application for a grant under this subpart
15 shall—

16 “(1) describe a long-term strategy and detailed
17 implementation plan, including how the jurisdiction
18 plans to pay for the program after the Federal fund-
19 ing ends;

20 “(2) identify the governmental and community
21 agencies that will be coordinated by this project;

22 “(3) certify that there has been appropriate
23 consultation with all affected agencies and there will
24 be appropriate coordination with all affected agen-

1 cies in the implementation of the program, including
2 existing community corrections and parole; and

3 “(4) describe the methodology and outcome
4 measures that will be used in evaluating the pro-
5 gram.

6 “(c) APPLICANTS.—The applicants as designated
7 under 2601(a)—

8 “(1) shall prepare the application as required
9 under subsection 2601(b); and

10 “(2) shall administer grant funds in accordance
11 with the guidelines, regulations, and procedures pro-
12 mulgated by the Attorney General, as necessary to
13 carry out the purposes of this part.

14 “(d) MATCHING FUNDS.—The Federal share of a
15 grant received under this title may not exceed 75 percent
16 of the costs of the project funded under this title unless
17 the Attorney General waives, wholly or in part, the re-
18 quirements of this section.

19 “(e) REPORTS.—Each entity that receives a grant
20 under this part shall submit to the Attorney General, for
21 each year in which funds from a grant received under this
22 part is expended, a report at such time and in such man-
23 ner as the Attorney General may reasonably require that
24 contains:

1 “(1) a summary of the activities carried out
2 under the grant and an assessment of whether such
3 activities are meeting the needs identified in the ap-
4 plication funded under this part; and

5 “(2) such other information as the Attorney
6 General may require.

7 “(f) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—There are authorized to be
9 appropriated to carry out this section \$40,000,000
10 in fiscal year 2002; and such sums as may be nec-
11 essary for each of the fiscal years 2003 and 2004.

12 “(2) LIMITATIONS.—Of the amount made avail-
13 able to carry out this section in any fiscal year—

14 “(A) not more than 2 percent or less than
15 1 percent may be used by the Attorney General
16 for salaries and administrative expenses; and

17 “(B) not more than 3 percent or less than
18 2 percent may be used for technical assistance
19 and training.

20 **“SEC. 2977. JUVENILE OFFENDER STATE AND LOCAL RE-**
21 **ENTRY PROGRAMS.**

22 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
23 eral shall make grants of up to \$250,000 to States, in
24 partnership with local units of governments or nonprofit
25 organizations, for the purpose of establishing juvenile of-

1 fender reentry programs. Funds may be expended by the
2 projects for the following purposes:

3 “(1) providing returning juvenile offenders with
4 drug and alcohol testing and treatment and mental
5 and medical health assessment and services;

6 “(2) convening victim impact panels, restorative
7 justice panels, or victim impact educational classes
8 for juvenile offenders;

9 “(3) oversight/monitoring of released juvenile
10 offenders; and

11 “(4) providing for the planning of reentry serv-
12 ices when the youth is initially incarcerated and co-
13 ordinating the delivery of community-based services,
14 such as education, family involvement and support,
15 and other services as needed.

16 “(b) SUBMISSION OF APPLICATION.—In addition to
17 any other requirements that may be specified by the Attor-
18 ney General, an application for a grant under this subpart
19 shall—

20 “(1) describe a long-term strategy and detailed
21 implementation plan, including how the jurisdiction
22 plans to pay for the program after the Federal fund-
23 ing ends;

24 “(2) identify the governmental and community
25 agencies that will be coordinated by this project;

1 “(3) certify that there has been appropriate
2 consultation with all affected agencies and there will
3 be appropriate coordination with all affected agen-
4 cies, including existing community corrections and
5 parole, in the implementation of the program;

6 “(4) describe the methodology and outcome
7 measures that will be used in evaluating the pro-
8 gram.

9 “(c) APPLICANTS.—The applicants as designated
10 under 2603(a)—

11 “(1) shall prepare the application as required
12 under subsection 2603(b); and

13 “(2) shall administer grant funds in accordance
14 with the guidelines, regulations, and procedures pro-
15 mulgated by the Attorney General, as necessary to
16 carry out the purposes of this part.

17 “(d) MATCHING FUNDS.—The Federal share of a
18 grant received under this title may not exceed 75 percent
19 of the costs of the project funded under this title unless
20 the Attorney General waives, wholly or in part, the re-
21 quirements of this section.

22 “(e) REPORTS.—Each entity that receives a grant
23 under this part shall submit to the Attorney General, for
24 each year in which funds from a grant received under this
25 part is expended, a report at such time and in such man-

1 ner as the Attorney General may reasonably require that
2 contains:

3 “(1) a summary of the activities carried out
4 under the grant and an assessment of whether such
5 activities are meeting the needs identified in the ap-
6 plication funded under this part; and

7 “(2) such other information as the Attorney
8 General may require.

9 “(f) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There are authorized to be
11 appropriated to carry out this section \$5,000,000 in
12 fiscal year 2002, and such sums as are necessary for
13 each of the fiscal years 2003 and 2004.

14 “(2) LIMITATIONS.—Of the amount made avail-
15 able to carry out this section in any fiscal year—

16 “(A) not more than 2 percent or less than
17 1 percent may be used by the Attorney General
18 for salaries and administrative expenses; and

19 “(B) not more than 3 percent or less than
20 2 percent may be used for technical assistance
21 and training.

22 **“SEC. 2978. STATE REENTRY PROGRAM RESEARCH, DEVEL-**
23 **OPMENT, AND EVALUATION.**

24 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
25 eral shall make grants to conduct research on a range of

1 issues pertinent to reentry programs, the development and
2 testing of new reentry components and approaches, se-
3 lected evaluation of projects authorized in the preceding
4 sections, and dissemination of information to the field.

5 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 \$2,000,000 in fiscal year 2002, and such sums as are nec-
8 essary to carry out this section in fiscal years 2003 and
9 2004.”.

10 (b) TECHNICAL AMENDMENT.—The table of contents
11 of title I of the Omnibus Crime Control and Safe Streets
12 Act of 1968 (42 U.S.C. 3711 et seq.), as amended, is
13 amended by inserting at the end the following:

“PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY ACT

“Sec. 2976. Adult Offender State and Local Reentry Partnerships.

“Sec. 2977. Juvenile Offender State and Local Reentry Programs.

“Sec. 2978. State Reentry Program Research, Development, and Evaluation.”.

14 **TITLE VII—ASSISTANCE BY RELI-**
15 **GIOUS ORGANIZATIONS**
16 **UNDER GOVERNMENT PRO-**
17 **GRAMS FUNDED UNDER THIS**
18 **ACT**

19 **SEC. 701. ASSISTANCE BY RELIGIOUS ORGANIZATIONS**
20 **UNDER GOVERNMENT PROGRAMS FUNDED**
21 **UNDER THIS ACT.**

22 (a) RELIGIOUS ORGANIZATIONS INCLUDED AS NON-
23 GOVERNMENTAL PROVIDERS.—For any program carried

1 out by the Federal Government, or by a State or local
2 government with Federal funds under this Act, in which
3 the Federal, State, or local government is authorized to
4 use nongovernmental organizations, through contracts,
5 grants, or other forms of disbursement, to provide assist-
6 ance to beneficiaries under the program, the government
7 shall consider, on the same basis as other nongovern-
8 mental organizations, religious organizations to provide
9 the assistance under the program, so long as the program
10 is implemented in a manner consistent with the Establish-
11 ment Clause of the first amendment to the Constitution.
12 Neither the Federal Government nor a State or local gov-
13 ernment receiving funds under such program shall dis-
14 criminate against an organization that provides assistance
15 under, or applies to provide assistance under, such pro-
16 gram, on the basis that the organization has a religious
17 character.

18 (b) RELIGIOUS CHARACTER AND INDEPENDENCE.—

19 (1) IN GENERAL.—A religious organization that
20 provides assistance under a program described in
21 subsection (a) shall retain its independence from
22 Federal, State, and local governments, including
23 such organization's control over the definition, devel-
24 opment, practice, and expression of its religious be-
25 liefs.

1 (2) ADDITIONAL SAFEGUARDS.—Neither the
2 Federal Government nor a State or local government
3 shall require a religious organization—

4 (A) to alter its form of internal govern-
5 ance; or

6 (B) to remove religious art, icons, scrip-
7 ture, or other symbols;

8 in order to be eligible to provide assistance under a
9 program described in subsection (a).

10 (c) EMPLOYMENT PRACTICES.—The exemption of a
11 religious organization provided under section 702 or
12 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C.
13 2000e–1, 2000e–2(e)(2)) regarding employment practices
14 shall not be affected by the religious organization’s provi-
15 sion of assistance under, or receipt of funds from, a pro-
16 gram described in subsection (a).

17 (d) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

18 (1) IN GENERAL.—If an individual described in
19 paragraph (3) has an objection to the religious char-
20 acter of the organization from which the individual
21 receives, or would receive, assistance funded under
22 any program described in subsection (a), the appro-
23 priate Federal, State, or local governmental entity
24 shall provide to such individual (if otherwise eligible
25 for such assistance) within a reasonable period of

1 time after the date of such objection, assistance
2 that—

3 (A) is from an alternative organization
4 that is accessible to the individual; and

5 (B) has a value that is not less than the
6 value of the assistance that the individual would
7 have received from such organization.

8 (2) NOTICE.—The appropriate Federal, State,
9 or local governmental entity shall ensure that notice
10 is provided to individuals described in paragraph (3)
11 of the rights of such individuals under this section.

12 (3) INDIVIDUAL DESCRIBED.—An individual de-
13 scribed in this paragraph is an individual who re-
14 ceives or applies for assistance under a program de-
15 scribed in subsection (a).

16 (e) NONDISCRIMINATION AGAINST BENE-
17 FICIARIES.—

18 (1) GRANTS AND CONTRACTS.—A religious or-
19 ganization providing assistance through a grant or
20 contract under a program described in subsection
21 (a) shall not discriminate, in carrying out the pro-
22 gram, against an individual described in subsection
23 (d)(3) on the basis of religion, a religious belief, a
24 refusal to hold a religious belief, or a refusal to ac-
25 tively participate in a religious practice.

1 (2) INDIRECT FORMS OF DISBURSEMENT.—A
2 religious organization providing assistance through a
3 form of indirect disbursement under a program de-
4 scribed in subsection (a) shall not deny an individual
5 described in subsection (d)(3) admission into such
6 program on the basis of religion, a religious belief,
7 or a refusal to hold a religious belief.

8 (f) FISCAL ACCOUNTABILITY.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), any religious organization providing as-
11 sistance under any program described in subsection
12 (a) shall be subject to the same regulations as other
13 nongovernmental organizations to account in accord
14 with generally accepted accounting principles for the
15 use of such funds provided under such program.

16 (2) LIMITED AUDIT.—Such organization shall
17 segregate government funds provided under such
18 program into a separate account. Only the govern-
19 ment funds shall be subject to audit by the govern-
20 ment.

21 (g) COMPLIANCE.—A party alleging that the rights
22 of the party under this section have been violated by a
23 State or local government may bring a civil action pursu-
24 ant to section 1979 against the official or government
25 agency that has allegedly committed such violation. A

1 party alleging that the rights of the party under this sec-
2 tion have been violated by the Federal Government may
3 bring a civil action for appropriate relief in an appropriate
4 Federal district court against the official or government
5 agency that has allegedly committed such violation.

6 (h) LIMITATIONS ON USE OF FUNDS FOR CERTAIN
7 PURPOSES.—No funds provided through a grant or con-
8 tract to a religious organization to provide assistance
9 under any program described in subsection (a) shall be
10 expended for sectarian worship, instruction, or proselytiza-
11 tion.

12 (i) EFFECT ON STATE AND LOCAL FUNDS.—If a
13 State or local government contributes State or local funds
14 to carry out a program described in subsection (a), the
15 State or local government may segregate the State or local
16 funds from the Federal funds provided to carry out the
17 program or may commingle the State or local funds with
18 the Federal funds. If the State or local government com-
19 mingles the State or local funds, the provisions of this sec-
20 tion shall apply to the commingled funds in the same man-
21 ner, and to the same extent, as the provisions apply to
22 the Federal funds.

23 (j) TREATMENT OF INTERMEDIATE CONTRAC-
24 TORS.—If a nongovernmental organization (referred to in
25 this subsection as an ‘intermediate organization’), acting

1 under a contract or other agreement with the Federal Gov-
2 ernment or a State or local government, is given the au-
3 thority under the contract or agreement to select non-
4 governmental organizations to provide assistance under
5 the programs described in subsection (a), the intermediate
6 organization shall have the same duties under this section
7 as the government but shall retain all other rights of a
8 nongovernmental organization under this section.

9 (k) APPROPRIATE SUBSTANCE ABUSE TREATMENT
10 AND PREVENTION.—Any program carried out by the Fed-
11 eral government, or by a State or local government with
12 Federal funds authorized under this Act, in which the
13 Federal, State, or local government is authorized to use
14 nongovernmental organizations, through contracts, grants,
15 or other forms of disbursement, to provide assistance to
16 beneficiaries, shall be based on a program shown to be
17 efficacious and shall incorporate research-based principles
18 of effective substance abuse treatment.